



CRL OP(MD). No.20520 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 26.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Rasaiah

2.Pandi

3.Velu @ EB Velu

... Petitioners/ Accused 1, 4&5

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.
(Crime No.325 of 2024)

... Respondent/Complainant

For Petitioners : Mr.J.Senthil Kumaraiah, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 325 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 191(2), 191(3), 296(b), 118(1), 115(2), 351(2) of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.325 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a property dispute between the parties. On the date of occurrence, the accused persons are said to have assaulted the defacto complainant's wife with iron rod and sticks and caused serious injuries. There are totally 6 accused persons in this case and the petitioners have been arrayed as A1, A4 and A5.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and considering the fact that there was a property dispute between the parties and the injured has already been discharged from the hospital and there are no previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif -cum- Judicial Magistrate Court No.I, Usilampatti, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioners shall appear before the respondent Police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with



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law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023. IPC.

sd/-
26/11/2024

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/12/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Pal

To

1.The District Munsif cum Judicial Magistrate No.I,
Usilampatty.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.J.SENTHIL KUMARAISH, Advocate (SR-14520[I] dated 26/11/2024)



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ORDER

IN

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Date :26/11/2024

ED/ VR /SAR- (02/12/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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