



(in CRL OP(MD).No.20666 of 2024)

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

Date : 03.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH
CRL OP(MD). Nos.20666 and 20559 of 2024

1.Mariyammal
(*2.Iyammal

... Petitioners / Accused 5 & 6
(in CRL OP(MD).No.20666 of 2024)

1.Agni
2.Bambai @ Dhanuskodi
3.Murugan

... Petitioners/ Accused 1 to 3
(in CRL OP(MD).No.20559 of 2024)

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Amathur Police Station,
Virudhunagar District.
(Crime No.304 of 2024)

... Respondent/Complainant
(in both cases)

For Petitioners : Ms.V.Vigneshwari, Advocate
(in CRL OP(MD).No.20666 of 2024)
For Petitioners : Mr.M.Ananthkumar, Advocate
(in CRL OP(MD).No.20559 of 2024)
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)
(in both cases)

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

COMMON PRAYER :-

For Anticipatory Bail in Crime No.304/2024 on the file of the respondent police.

<https://www.mhc.tn.gov.in/judis>



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COMMON 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 (*)126(2), 191(2), 296(b), 127(2), 118(1), 351(2) of BNS, in Crime No.304 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a previous enmity between both the parties who are said to be involved in supply of water from a water tractor. On the date of incident, the accused persons are said to have abused the defacto complainant in filthy language and threatened him with dire consequences and they also attacked with liquor bottle and stones. There are totally 6 accused persons in this case and the petitioners have been arrayed as A1 to A3 and A5 and A6.

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 previous enmity between the parties and there is a case and counter which is now investigated by the respondent police in Crime Nos.304 and 305 of 2024 and there are no previous cases against the petitioners and the injured has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners 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 Judicial Magistrate Court No.II, Virudhunagar, on condition that the petitioner 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 law as if the conditions have been imposed and the petitioners released on bail by the



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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/-
03/12/2024

(*)Amended as per order of this Hon'ble Court
in CRL MP(MD).14291/2024 in CRL OP(MD).
20559/2024 & CRL MP(MD).14289/2024 in CRL
OP(MD).20666/2024 Dated 20/12/2024

Time is extended by one week from today to
comply the order of this Court in CRL OP(MD).
20666 & 20559/2024 dated 03/12/2024
/ TRUE COPY /

20/12/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

pal

TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
11/12/2024

1 THE JUDICIAL MAGISTRATE COURT NO.II, VIRUDHUNAGAR,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE, AMATHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.



(in CRL OP(MD).No.20666 of 2024)

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2 CC TO M/S.V.VIGNESHWARI, ADVOCATE, SR-15829[I] & SR-15830[I] DATED
20/12/2024

ORDER
IN
CRL OP(MD). Nos.20666 and 20559 of 2024
Date :03/12/2024

RK/SKN (09/12/2024) 5P / 6C
RS/IT (20/12/2024) 5P / 7C
Madurai Bench of Madras High Court is issuing
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