



CRL OP(MD). No.20681 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20681 of 2024

1. Selvam,

2. Panju Alias Panchavaarnam,

3. Sasikumar,

... Petitioners/ Accused Nos.1, 2 & 4

Vs

The Inspector of Police,
Kottampatty Police Station.
Madurai District.
Crime No.348 of 2024

... Respondent/Complainant

For Petitioner : Ms.B.Kalpana,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 348 of 2024 on the file of the Respondent police.



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ORDER : The Court made the following order :-

The petitioners / Accused Nos.1, 2 and 4, who apprehend arrest at the hands of the respondent Police, for the offences under Sections 296 (b), 115(2) and 118 (1) of BNSS, 2023 and Section 4 of TNPHW Act in Crime No.348 of 2024, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that Accused No.1 is the brother of the *defacto* complainant. There was some property dispute between the parties. On the date of occurrence, the accused persons are said to have developed a wordy quarrel and attacked the *defacto* complainant and caused serious injuries. There are totally 4 accused persons in this case and the petitioners have been arrayed as Accused Nos.1, 2 and 4.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

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 been discharged from the hospital and there are no previous cases



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pending against these petitioners, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

5. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only), each 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioners shall report 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;



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[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 petitioners in accordance with 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]*; and;

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

sd/-
27/11/2024

/ TRUE COPY /

/12/2024

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

TSG

TO

- 1 THE JUDICIAL MAGISTRATE,
MELUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
KOTTAMPATTY POLICE STATION, MADURAI.



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

ORDER
IN
CRL OP(MD) No.20681 of 2024
Date :27/11/2024

SS/GSV/SAR- /11/12/2024/ 5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023