



CRL OP(MD). No.20751 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20751 of 2024

1. Kavitha

2. Balamurugan

... Petitioners/ Accused No.1 & 2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thandikudi Police Station,
Dindigul District.
Crime No. 219/2024.

... Respondent/Complainant

For Petitioners : Mr.G Bhagavath Singh,

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. 219 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 offence under Sections 296(b), 115(2), 118(1), 351(3) of BNS Act and Section 4 of TNPHW Act in Crime No.219 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a previous enmity between the petitioner and the family of the defacto complainant. On 30.10.2024, the petitioners are said to have abused the defacto complainant and her husband and threatened them with dire consequences.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

4.Taking into consideration of the facts and circumstances of the case and considering the fact that there was a previous dispute between the parties and there is a case and counter case registered in Cr.Nos.218 and 219 of 2024 and the same are under investigation and there are no previous cases pending against the petitioners, this Court is inclined to grant to grant anticipatory bail to the petitioners.



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5. Accordingly, this criminal original petition is ordered and 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 No.I, Kodaikanal*, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two common 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 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.

[c] the petitioners shall report before the respondent police as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;



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[f] 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;

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

sd/-
28/11/2024

/ TRUE COPY /

/12/2024

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

PNM
TO

- 1 THE JUDICIAL MAGISTRATE NO.I
KODAIKANAL.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT.
- 3 THE INSPECTOR OF POLICE,
THANDIKUDI POLICE STATION, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.G.BHAGAVATH SINGH, Advocate (SR-14639[I] dated 28/11/2024)

ORDER
IN
CRL OP(MD) No.20751 of 2024
Date :28/11/2024

SS/VR/SAR- /04/12/2024/ 5P/6C

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