



CRL OP(MD). No.20842 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Chandrasekaran

2.Muruganandham

3.Malathi

... Petitioners / Accused
(Rank Not Known)

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Swamimalai Police Station,
Thanjavur District.
(Crime No.476 of 2024)

... Respondent/Complainant

For Petitioners: Mr.S.Gurumoorthy,
Advocate

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

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



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WIPRAYER:-

For Anticipatory Bail in Crime No.476/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Section 194 of the BNSS now altered into Sections 296(b) and 108 of BNS, in Crime No.476 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and his wife were residing in the property as a tenant from the year 2011 onwards. This property belongs to A1. A1 is said to have asked the defacto complainant to vacate the house. Some dispute was going on this regard. On 17.11.2024, the accused persons came to the property and they started abusing the wife of the defacto complainant in filthy language and they also tried to enter into the property and also snatched the mobile phone of the wife of the defacto complainant. Shocked by this incident, the wife of the defacto complainant went into the house and committed suicide by hanging. There are totally 4 accused persons in this case and the petitioners have been arrayed as A2 to A4. A2 is the brother of A1. A3 is the son of A2 and A4 is the wife of A3. A1 has



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already been arrested in this case on 20.11.2024.

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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 manner in which the entire incident had taken place and taking into account the age of A2 and also considering the fact that A4 is a woman, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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, Kumbakonam, 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:



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[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 report before the respondent police daily at 10.30 a.m. for a period of 3 weeks and thereafter, as and when required.

[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 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].



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

sd/-
29/11/2024

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/12/2024

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

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TO

1. THE JUDICIAL MAGISTRATE COURT NO.II, KUMBAKONAM,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.

3. THE INSPECTOR OF POLICE,
SWAMIMALAI POLICE STATION, THANJAVUR DISTRICT.

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

+1 CC to M/s.S.GURUMOORTHY, Advocate (SR-14709[I] dated 29/11/2024)

ORDER
IN

CRL OP(MD) No.20842 of 2024
Date :29/11/2024

RK/GSV (05/12/2024) 5P / 6C

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