



CRL OP(MD). No.20893 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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Ajay @ Ashok

... Petitioner / Accused No.4

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
(Crime No.562 of 2024)

... Respondent/Complainant

For Petitioner : Mr.K.Lenin, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 562 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police



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for the alleged offences under Sections 189(2), 296(b), 115(2), 118(1) and 351(3) of BNS r/w. Section 3 of TNPPDL Act, in Crime No.562 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 11.11.2024 at about 02.30p.m., the defacto complainant along with another person was awaiting in a bus stop. At that point of time, the accused persons are said to have flashed the head light of the two wheeler and when the same was questioned, there was a wordy quarrel and the defacto complainant is said to have been attacked with iron rod and wooden log. That apart, the house hold articles were also damaged in the house of the defacto complainant and damage was also caused to 2 two wheelers, to the total tune of Rs.2,10,000/- by the accused persons. There are totally 8 accused persons in this case and the petitioner has been arrayed as A4.

3. The learned Government Advocate (Criminal Side), on instructions, submitted that there are 5 previous cases against the petitioner and hence, the learned Government Advocate opposed this anticipatory bail petition.

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

5. The learned counsel for the petitioner submitted that A2 was granted anticipatory bail by the Sessions Court and A3, A5, A6, A7 and A8 were enlarged on



bail after they were arrested.

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6. Taking into consideration the facts and circumstances of the case and considering the fact that many of the accused persons have been granted bail and taking note of the fact that there are 5 previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Ramanathapuram District, 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 petitioner 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 petitioner shall report before the respondent police daily at 5.30 p.m. until further orders.

[c] the petitioner shall not tamper with evidence or witness either during



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investigation or trial.

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[d] the petitioner 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 petitioner 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.

sd/-
29/11/2024

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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 Judicial Magistrate No.II,
Ramanathapuram District.

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



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3.The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.

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

ORDER
IN
CRL OP(MD) No.20893 of 2024
Date :29/11/2024

ED/ GSV /SAR- (06/12/2024) 5P / 5C

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