



CRL OP(MD). No.20925 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20925 of 2024

Ajay @ Ashok,

... Petitioner/ Accused NO.5

Vs

The State of Tamil Nadu,
The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
Crime No.376/2024..

... Respondent/ Complainant

For Petitioner : Mr.Lenin.K,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.376/2024 on the file of the respondent Police.



CRL OP(MD). No.20925 of 2024

ORDER : The Court made the following order :-

The petitioner / accused No.5, who apprehends arrest at the hands of the respondent Police for the offences under Sections 189(2), 296(b), 118(1), 351(3) of BNS, 2023 in Crime No.376 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 parties. On 11.11.2024, at about 8.45 p.m., the *defacto* complainant was returning back in a two-wheeler and at that point of time, the accused persons are said to have waylaid him and attacked him with deadly weapons. There are totally six accused persons in this case and the petitioner has been arrayed as Accused No.5.

3. The learned Government Advocate (Criminal Side) appearing for the respondent Police submitted that there are totally four previous cases against this petitioner and that due to the previous enmity, the accused persons went with deadly weapons and attacked the *defacto* complainant.

4. The learned counsel appearing for the petitioner submitted that already



CRL OP(MD). No.20925 of 2024

WEB COPY

Accused 2 and 3 were granted anticipatory bail and Accused Nos.4 and 6 were enlarged on bail.

5. Taking into consideration the facts and circumstances of the case and considering the fact that other accused persons either have been granted anticipatory bail or enlarged on bail and considering the fact that the injured has been discharged from the hospital and taking note of the fact that there are four previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, 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 said Magistrate, on further condition that:

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



CRL OP(MD). No.20925 of 2024

WEB COPY

[b] the petitioner shall report before the respondent police every Monday and Friday at 05.30 p.m. for a period of six weeks and thereafter, as and when required for interrogation;

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

[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]*; and;

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

sd/-
29/11/2024

/ TRUE COPY /

/12/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG



CRL OP(MD). No.20925 of 2024

TO
WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.II
RAMANATHAPURAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
UCHIPULI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.20925 of 2024

Date :29/11/2024

SS/GSV/SAR- /05/12/2024/ 5P/5C

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