



CRL OP(MD). No.20929 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.Kaliswaran

2.Selvam

3.Sakthikumar

4.Selvaraj

... Petitioners/ Accused 1 to 4

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Rajathani Police Station,
Theni District.
(Crime No.253 of 2024)

... Respondent/Complainant

For Petitioners: Mr.R.Karunanidhi,
Advocate

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



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

PRAYER :-

For Anticipatory Bail in Crime No.253/2024 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 Sections 115(2), 118(1) and 351(2) of BNS, 2023 and Section 4 of TNPHW Act, in Crime No.253 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 brother were coming in a two wheeler and A1 and A2 were also coming in a two wheeler in the opposite direction and both the vehicles dashed each other. There was a wordy quarrel and as a result, the accused persons are said to have attacked the defacto complainant and caused him serious injuries.

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



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4. Taking into consideration the facts and circumstances of the case and considering the manner in which the incident had taken place and also taking into consideration the fact that there is a case and counter case registered in Crime Nos.252 and 253 of 2024 pending investigation before the respondent police and considering the fact that the injured has been discharged from the hospital and there are no previous cases against the petitioners, 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, Aundipatti, Theni 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:



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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 appear 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.

[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, AUNDIPATTI, THENI DISTRICT,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3. THE INSPECTOR OF POLICE,
RAJATHANI POLICE STATION, THENI DISTRICT.

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

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-14727[I] dated 29/11/2024)

ORDER

IN

CRL OP(MD) No.20929 of 2024

Date :29/11/2024

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

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