



CRL OP(MD). No.20930 of 2024

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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.20930 of 2024

1. Rajeswari

2. Karthi Alias Karthika

3. Mohamed Lukmon Hakkim Alias
@ M.Mohamed Lookman Hakkim

... Petitioners/ Accused Nos.1 to 3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Othakadai Police Station,
Madurai District.
(Crime No.439 of 2024.)

... Respondent/Complainant

For Petitioners : Mr.Soukath Ali.A, 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.439 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 to 3, who apprehend arrest at the hands of the respondent Police for the offences under Sections 296(b), 126(1), 115(2) and 351(3) of BNS, 2023 in Crime No.439 of 2024, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that there was some property dispute between the parties and on 09.11.2024, the accused persons are said to have threatened the defacto complainant with dire consequences and abused him in filthy language and also assaulted him.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and also considering the fact that there are no previous cases against the petitioners and considering the fact that the defacto complainant has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.



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5. Accordingly, 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, Melur, Madurai on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only), each 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 petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioners shall report 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 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;



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[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.

TSG

To

1.The Judicial Magistrate,
Melur, Madurai.

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

3.The Inspector of Police,
Othakadai Police station,
Madurai District.

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

+1 CC to M/s.J.MOHAMED IBRAHIM, Advocate (SR-14835[I] dated 03/12/2024)

ORDER
IN
CRL OP(MD) No.20930 of 2024
Date :29/11/2024



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ED/ GSV /SAR- (04/12/2024) 5P / 6C

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