



CRL OP(MD). No.21034 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 02/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21034 of 2024

1. Prabakaran

2. Edi Edison

... Petitioners/ Accused No.1 & 3

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Natchiyarkovil Police Station,
Thanjavur District
(Crime No.733 of 2024.)

... Respondent/Complainant

For Petitioners : Mr. Dhilipanpandian.R.L, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 733 of 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



CRL OP(MD). No.21034 of 2024

police for the alleged offence under Sections 296(b), 351(3) of BNS Act and Section 25(1-A) of Arms Act in Crime No.733 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 22.10.2024, there was a village festival, in which, the accused persons are said to have abused the son of the defacto complainant's sister and he was also threatened with dire consequences by showing a sword. There are three accused persons in this case and the petitioners are arrayed as A1 and A3.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

4.Taking into consideration of the facts and circumstances of the case and considering the manner in which the incident had taken place and considering the fact that no one was injured in this case and taking note of the previous cases against the petitioners, this Court is inclined to grant to grant anticipatory bail to the petitioners.

5.Accordingly, this criminal original petition is ordered and 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 No.II, Kumbakonam, on



CRL OP(MD). No.21034 of 2024

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 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.

[c] the petitioners shall report before the learned Judicial Magistrate No.II, Kumbakonam daily at 10.30 a.m., until further orders, except for those days where the petitioners has to appear before the other Courts in the pending cases.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;



CRL OP(MD). No.21034 of 2024

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[f] 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;

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

sd/-
02/12/2024

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

PNM

To

1.The Judicial Magistrate No.II,
Kumbakonam.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.



CRL OP(MD). No.21034 of 2024

3.The Inspector of Police,
Natchiyarkovil Police Station,
Thanjavur District.

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

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-14778[I] dated 02/12/2024
)

ORDER
IN
CRL OP(MD) No.21034 of 2024
Date :02/12/2024

ED/ GSV /SAR- (11/12/2024) 5P / 6C

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