



CRL OP(MD). No.21144 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Deva

2.P.Jeyapramman

3.Vino @ Vinoth

4.Vicky @ Vicnesh

... Petitioners/ Accused 1 to 4

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
(Crime No.323 of 2024)

... Respondent/Complainant

For Petitioners : Mr.Kannan Gurusami,
Advocate

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

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



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PRAYER:-

For Anticipatory Bail in Crime No.323/2024 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 191(2), 296(b), 115(2), 118(1), 351(2) of BNS, in Crime No.323 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a money dispute between A1 and the defacto complainant. On the date of occurrence, the accused persons are said to have restrained the defacto complainant and abused him in filthy language and attacked him with stick. That apart, the son of the defacto complainant was also attacked with aruval. Both the defacto complainant and his son were threatened with dire consequences. There are totally 6 accused persons in this case and the petitioners have been arrayed as A1 to A4.

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 fact that there was a previous dispute between the parties and the injured has already 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 Court, Andipatti, 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:

[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 report before the respondent police every Friday at 5.30 p.m. for a period of 4 weeks and thereafter, as and when required.



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[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].

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

sd/-
03/12/2024

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/12/2024

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

PAL



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TO
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- 1 THE JUDICIAL MAGISTRATE
ANDIPATTI, THENI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KADAMALAIKUNDU POLICE STATION,
THENI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.21144 of 2024

Date :03/12/2024

SS/SKN/SAR- /09/12/2024/ 5P/5C

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