



CRL OP(MD). No.21273 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21273 of 2024

Mugesh @ Muthaiya

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Rep .By the Inspector of Police,
Jayamangalam Police Station,
Theni District.
Crime No. 219/2024..

... Respondent/Complainant

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.219 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who apprehends arrest at the hands of the respondent Police for the offences under (*)Sections 296(b), 118(1), 308(4) and 351(3)



CRL OP(MD). No.21273 of 2024

of BNS, 2023 in crime No.219 of 2024, on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that on the date of incident, the accused persons had consumed liquor and they were in an inebriated state. They developed a wordy quarrel with the defacto complainant and abused in filthy language. The defacto complainant was attacked with stone and he was threatened with dire consequences by showing deadly weapons. There are totally four accused persons in this case and the petitioner has been arrayed as Accused No.4.

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

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 note of the fact that there are no previous cases against the petitioner and the injured has been discharged and considering the age of the petitioner and also taking note of the fact that A2 and A3 were already arrested in this case, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

5. 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,



CRL OP(MD). No.21273 of 2024

Periyakulam, 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;

[b] the petitioner shall report before the respondent police 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;



CRL OP(MD). No.21273 of 2024

[f] if the accused thereafter absconds, a fresh FIR can be registered

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under Section 269 of BNS 2023.

sd/-

05/12/2024

(*)Amended as per order of this
Hon'ble Court in CRL MP(MD).
141/2025 in CRL OP(MD).21273/2024
Dated 08/01/2025

Time is extended by two weeks from the date of receipt of a copy of this order to comply the order of this Court in CRL OP(MD).21273/2024 Dated 05.12.2024. It is made clear that no further extension of time will be granted.

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/01/2025

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

PNM

TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
17/12/2024

1 THE JUDICIAL MAGISTRATE
PERIYAKULAM

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.



CRL OP(MD). No.21273 of 2024

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

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

+1 CC to M/s.K.DINESH, Advocate (SR-320[I] dated 09/01/2025)

ORDER
IN
CRL OP(MD) No.21273 of 2024
Date :05/12/2024

PSP/ SKN /SAR /16.12.2024/ 5P/ 6C
RS/ SKN /SAR /17.01.2025/ 5P/ 6C

Madurai Bench of Madras High Court is issuing
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