



CRL OP(MD). No.21268 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.21268 of 2024

1.Mahendra Kumar @ Mahendra Mani

2.Murugesan

... Petitioner / Accused No. 3 & 4

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District
(Crime No.456 of 2024)

... Respondent/Complainant

For Petitioners : Mr.P.Pratheesh, Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.456 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 police for



CRL OP(MD). No.21268 of 2024

the alleged offences under Sections 296(b), 115(2), 308(4) and 351(2) of BNS, 2023 in Crime No.456 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant was having an Air cooler and AC service repair shop. The father of the A1 is said to have given his fridge for repair to the de-facto complainant. In spite of doing the repair, the problem continued. On 06.11.2024, A1 along with the other accused persons are said to have gone to the shop of the de-facto complainant at about 08.45 p.m. and they abused him in filthy language and assaulted him with hands, and caused injury and also extorted a sum of Rs.4,000/- from the de-facto complainant. There are totally four accused persons in this case and the petitioners have been arrayed as A3 and A4.

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

4. Taking into consideration the facts and circumstances of the case, and considering the manner in which this incident had taken place, and taking note of the previous cases against the petitioners, and also considering the fact that A1 and A2 were arrested in this case on 16.11.2024, 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



CRL OP(MD). No.21268 of 2024

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the order copy made ready, before the Judicial Magistrate No.I, Sivakasi, Virudhunagar District, on condition that the petitioners 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 appear before the respondent police on every friday at 5.30 p.m. for a period of four weeks and thereafter, as and when required for the 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



CRL OP(MD). No.21268 of 2024

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.

sd/-
05/12/2024

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

MKN

TO

1 THE JUDICIAL MAGISTRATE
NO.I, SIVAKASI, VIRUDHUNAGAR DISTRICT.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
SIVAKASI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.P.PRATHEESH, Advocate (SR-15074[I] dated 09/12/2024)



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CRL OP(MD). No.21268 of 2024

ORDER
IN
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Date :05/12/2024

PSP/ VR /SAR /11.12.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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