



CRL OP(MD). No.21302 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.21302 of 2024

Rosemani @ Rosemari

... Petitioner/4th Accused

Vs

The Sub Inspector of Police,
Sedapatty Police Station,
Madurai District,
Crime No. 140 of 2024

... Respondent/Complainant

For Petitioner : Mr.S.Arockia Selva Ramesh,
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.140 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.4, who apprehends arrest at the hands of the respondent police for the offences under sections 324, 307, 506(1) and 109 of I.P.C., in Crime No. 140 of 2024 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that there was a previous enmity between the defacto complainant and his neighbour. The family members of the neighbour infact had given a complaint against the defacto complainant and others and the same resulted in a criminal case registered against the defacto complainant and others. In that case, Accused Nos.3 and 4 were examined as witnesses. There was a wordy quarrel between Accused Nos.3 and 4 and the defacto complainant. As a result, Accused No.1 is said to have assaulted the defacto complainant and his family members. 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 also of the fact that there was a previous enmity between the parties and there is one previous case pending against the petitioner and the injured has already been discharged from the Hospital and that the co-accused/A2 has already been granted anticipatory bail by order in CrI.O.P(MD) No.19439 of 2024, dated 11.11.2024, 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



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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 District Munsif cum Judicial Magistrate, Peraiyur, 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;



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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.

PNM
TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, PERAIYUR.

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

3 THE SUB INSPECTOR OF POLICE, SEDAPATTY POLICE STATION,
MADURAI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.21302 of 2024

Date :05/12/2024

RS/SKN/SAR-(17.12.2024) 4P 5C
Madurai Bench of Madras High Court is issuing
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