



CRL OP(MD). No.21303 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.21303 of 2024

Rajkumar

... Petitioner/ Accused Rank No.1

Vs

The Inspector of Police,
Palanichettyatti Police Station,
Theni District.

(Crime No. 440/2024)

... Respondent/Complainant

For Petitioner : Mr.D. Rajaboopathy, Advocate
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.440 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), 115(2), 118(2) & 351(3) of BNS Act, in crime No.440 of 2024, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that there was a previous dispute between the parties. On the date of incident, there was a wordy quarrel and the accused persons



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are said to have abused the defacto complainant in filthy language. A1 is said to have attacked the defacto complainant with aruval. A2 and A3 are said to have attacked the sister and brother of the defacto complainant with hands. They also threatened the defacto complainant and his family members with dire consequences. There are totally three accused persons in this case and the petitioner has been arrayed as Accused No.1.

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 fact that there was a previous dispute between the parties and the injured has been discharged from the hospital and there are 4 previous cases against the petitioner, 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, Theni, 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



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satisfaction of the said Magistrate, on further condition that:

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[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 on every Monday and Friday at 05.30 p.m., until further orders;

[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;

[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.



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TO

1 THE JUDICIAL MAGISTRATE, THENI.

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

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

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

+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-14998[I] dated 06/12/2024)

ORDER

IN

CRL OP(MD) No.21303 of 2024

Date :05/12/2024

RS/SKN/SAR-(18.12.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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