



CRL OP(MD). No.21379 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.21379 of 2024

Sivantham @ Sivanantham

... Petitioner / Accused No.4

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
(Crime No.199 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.Baskar Mathuram,
Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 199 of 2024 on the file of the respondent police.



CRL OP(MD). No.21379 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 191(2), 191(3), 296(b), 118(1), 109 and 54 of BNS, in Crime No.199 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a previous enmity between the defacto complainant and A1. Based on the same, the accused persons are said to have gone to the place of the defacto complainant on 09.11.2024 and surrounded him and attacked with aruval and knife and as a result, the defacto complainant sustained grievous injuries. There are totally 6 accused persons in this case and the petitioner has been arrayed as A6.

3. The learned Government Advocate submitted that A1 to A4 were arrested in this case and the defacto complainant sustained very serious injuries and he took treatment for nearly one month and he was discharged only recently. He further submitted that there is one previous case against the petitioner for offence under the Mines and Minerals Act.

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

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.21379 of 2024

the case.

WEB COPY

5. Taking into consideration the facts and circumstances of the case and considering the fact that the injured has been discharged and one previous case against the petitioner is under the Mines and Minerals Act, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate at Thiruvadanai, Ramanathapuram 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 petitioner 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.



CRL OP(MD). No.21379 of 2024

WEB COPY

[b] the petitioner shall report before the respondent police on every Monday, Wednesday and Friday at 05.30 p.m. for a period of 4 weeks and thereafter, as and when required.

[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].

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

sd/-
13/12/2024

/ TRUE COPY /

/12/2024

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

pal



CRL OP(MD). No.21379 of 2024

TO
WEB COPY

1. THE JUDICIAL MAGISTRATE AT THIRUVADANAI,
RAMANATHAPURAM DISTRICT,
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
3. THE INSPECTOR OF POLICE,
THIRUVADANAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.BASKAR MATHURAM, Advocate (SR-15497[I] dated 17/12/2024)

ORDER
IN
CRL OP(MD) No.21379 of 2024
Date :13/12/2024

RK/VR (26/12/2024) 5P / 6C

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