



CRL OP(MD). No.21965 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.21965 of 2024

1.Balpandi @ Palpandi

2.Veerapandi

3.Silambu @ Silamparasan

4.Surya @ Suryaprakash

5.Subash @ Subashpandi

6.Malar

... Petitioners / Accused 1 to 6

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Ponnamaravathy Police Station,
Pudukkottai District.
(Crime No.204 of 2024)

... Respondent/Complainant

For Petitioners: Mr.N.Palaniyandi,
Advocate



CRL OP(MD). No.21965 of 2024

WEB COPY

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. 204 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 the alleged offences under Sections 191(2), 296(b), 109 and 351(3) of the BNS, 2023, in Crime No.204 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 20.11.2024 at about 05.30 p.m., the accused persons went to the house of the defacto complainant and abused him in filthy language and the defacto complainant was attacked with beer bottles in his head and stabbed with a knife in his chest. When the friend of the defacto complainant tried to prevent the assault, he was also attacked with aruval in his left hand and he sustained cut injuries in his left hand.

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



CRL OP(MD). No.21965 of 2024

WEB COPY

4. It was submitted that the accused persons apart from attacking the defacto complainant and his friend had also posted a social media message by openly threatening the defacto complainant. It is also brought to the notice of this Court that insofar as A1 and A2 are concerned, they have previous cases and one case is for offence under Section 302 of IPC. Insofar as other accused persons are concerned, A5 has one previous case for offence under Section 506(ii) of IPC and others do not have any previous cases. The injured were discharged only recently from the hospital.

5. Taking into consideration the facts and circumstances of the case and considering the above submissions, this Court is not inclined to grant anticipatory bail to A1 and A2 and hence, this petition stands dismissed insofar as A1 and A2 are concerned. This Court is inclined to grant anticipatory bail to A3 to A6 with certain conditions.

6. 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 the order copy made ready, before the learned Judicial Magistrate Court, Ponnamaravathy, Pudukkottai District, on condition that the petitioners shall execute



CRL OP(MD). No.21965 of 2024

WEB COPY

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 report before the respondent police on every Monday, Wednesday and Friday at 10.30 a.m. for a period of 6 weeks and thereafter, as and when required.

[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



CRL OP(MD). No.21965 of 2024

Court is entitled to take appropriate action against the petitioner 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 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. IPC.

sd/-
20/12/2024

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/01/2025
Sub-Assistant Registrar (CS-I / II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. THE JUDICIAL MAGISTRATE, PONNAMARAVATHY,
PUDUKKOTTAI DISTRICT,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI.

3. THE INSPECTOR OF POLICE,
PONNAMARAVATHY POLICE STATION,
PUDUKKOTTAI DISTRICT.



CRL OP(MD). No.21965 of 2024

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

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-15814[I] dated 20/12/2024)

ORDER
IN
CRL OP(MD) No.21965 of 2024
Date :20/12/2024

RK/SKN(06/01/2025) 6P / 6C

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