



CRL OP(MD). No.21960 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 12.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.21960 of 2024

1.Bharathi Raja

2.Suresh

... Petitioners / Accused 1&2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District.
(Crime No.189 of 2024)

... Respondent/Complainant

For Petitioners : Mr.M.Vivek Kumar, 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. 189 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



CRL OP(MD). No.21960 of 2024

for the alleged offences under Sections 296(b), 115(2), 118(1), 351(3) of BNS, in Crime No.189 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a previous enmity between the parties regarding administration of a temple. On the date of incident, the accused persons are said to have abused the defacto complainant in filthy language and attacked him with wooden log and threatened him with dire consequences. There are totally 3 accused persons in this case and the petitioners have been arrayed as A1 and A2.

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

4. Taking into consideration the facts and circumstance of the case and considering the manner in which this incident had taken place and also considering the fact that there is a case and counter case which is now pending investigation before the respondent in Crime Nos.189 and 190 of 2024 and the injured has already been discharged from the hospital and there is one previous case against both the petitioners, 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.21960 of 2024

WEB COPY

the order copy made ready, before the learned Judicial Magistrate Court, Eraniel, Kanyakumari 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 as and when required for 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 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].



CRL OP(MD). No.21960 of 2024

[f] If the accused thereafter absconds, a fresh FIR can be registered under

WEB COPY

Section 269 of BNS, 2023.

sd/-
12/12/2024

/ TRUE COPY /

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

PAL

To

1.The Judicial Magistrate,
Eraniel, Kanyakumari District.

2.Do through the Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.

3.The Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.VIVEK KUMAR, Advocate (SR-15453[I] dated 16/12/2024)

ORDER
IN
CRL OP(MD) No.21960 of 2024
Date :12/12/2024



CRL OP(MD). No.21960 of 2024

ED/ SKN /SAR- (20/12/2024) 5P / 6C

WEB COPY

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