



CRL OP(MD). No.22516 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Prasanth

2.Prathap

3.Chelin

4.Jegan

... Petitioners / Accused 1 to 4

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.
(Crime No.547 of 2024)

... Respondent/Complainant

For Petitioners : M/s.S.M.Mohan Gandhi
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate
(Criminal Side)
Mr.M.Maharaja for intervenor



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

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PRAYER :-

For Anticipatory Bail in Crime No. 547 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 126(2), 191(2), 191(3), 296(b), 351(3) of BNS 2023 and Section 3 of TNPPDL Act, in Crime No.547 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and others were travelling in a van and they were coming back from the temple festival. Due to the horn sound from the van, there was some wordy quarrel and as a result, the accused persons are said to have abused the defacto complainant in filthy language and threatened the defacto complainant and others with dire consequences and had also caused damage to the van to the tune of Rs.1,00,000/-. There are totally six named accused and two unnamed accused persons and the petitioners are arrayed as A1 to A4.



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the case.

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

4. Taking into consideration the facts and circumstances of the case and considering the manner in which the entire dispute had taken place and taking note of the fact that there is a case and counter-case pending investigation before the respondent police in Crime No.547 and 548 of 2024 and taking note of the fact that there is one previous case against A1, A3 and A4, 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 the order copy made ready, before the learned Judicial Magistrate No.III, Tirunelveli, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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:



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[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 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].



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

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Section 269 of BNS, 2023. IPC.

sd/-

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/01/2025

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

PKN
TO

1 THE JUDICIAL MAGISTRATE NO.III
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3 THE INSPECTOR OF POLICE,
DEVARKULAM POLICE STATION, TIRUNELVELI DISTRICT.

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

+1 CC to M/s.S.M.MOHAN GANDHI, Advocate (SR-15693[I] dated 19/12/2024)

ORDER
IN

CRL OP(MD) No.22516 of 2024

Date :19/12/2024

SS/SKN/SAR- /03/01/2025/ 5P/6C

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