



CRL OP(MD). Nos.22648 and 22684 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). Nos.22648 and 22684 of 2024

1.C.Thanulingam

2.T.Akash

3.Mahesh @ Maheswaran

4.G.Suresh

5.Ayyappan

6.T.Karunakaran

7.Dinakaran @ Janagaran

8.M.Harish

9.A.Suthan

10.K.Rethinasamy

... Petitioners / Accused 1 to 10
(in Crl.OP(MD).No.22648 of 2024)

1.M.Sivalingam

2.A.Subin



CRL.OP(MD). Nos.22648 and 22684 of 2024

3.Ravichandran

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4.R.Sekar

5.Rajarathinam

... Petitioners / Accused 15
and Rank Not Known
(in Crl.OP(MD).No.22684 of 2024)

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.
(Crime No.410 of 2024)

... Respondent / Complainant
(in both cases)

For Petitioners: Mr.R.J.Karthick,
(in both cases) Advocate

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

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

PRAYER :- For Anticipatory Bail in Crime No. 410 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), 191(3), 126(2), 296(b), 115(2), 118(1), 351(3) of BNS, 2023, in Crime No.410 of 2024 on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that there was a dispute in a temple festival and both sides attacked each other. The petitioners have been arrayed as A1 to A10, A15 and rank is yet to be assigned for the petitioners 2 to 5 in Crl.OP(MD).No.22684 of 2024.

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

4. It was brought to the notice of this Court that A9 and A10 were arrested in this case and hence, Crl.OP(MD).No.22648 of 2024 stands closed insofar as A9 and A10 are concerned.

5. Taking into consideration the facts and circumstances of the case and considering the manner in which the incident had taken place and also considering the fact that there is a case and counter case pending investigation before the respondent police in Crime Nos.410 and 411 of 2024 and considering some of the previous cases pending against some of the accused persons, this Court is inclined to grant anticipatory bail to the petitioners 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 No.I, Nagercoil, 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.

[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].

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



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7. In the result, Crl.OP(MD).No.22684 of 2024 is allowed and Crl.OP(MD).

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No.22648 of 2024 is partly allowed.

sd/-
20/12/2024

/ TRUE COPY /

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

PAL
TO

1 THE JUDICIAL MAGISTRATE NO.I,
NAGERCOIL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE,
RAJAKKAMANGALAM POLICE STATION,
KANYAKUMARI DISTRICT.

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

ORDER
IN
CRL OP(MD). Nos.22648 and 22684 of 2024
Date :20/12/2024

SA/SKN/SAR. /06.01.2025/5P/5C

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