



CRL OP(MD). No.22681 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

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1.Karthick Raja

2.A.Maniraj

... Petitioners/ Accused 2 & 3

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Karimedu Police Station,
Madurai City.
(Crime No.477 of 2024)

... Respondent/Complainant

For Petitioners: Mr.K.R.Manimaran,
Advocate

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

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



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PRAYER :-
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For Anticipatory Bail in Crime No. 477 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), 296(b), 115(2), 118(1) and 351(3) of BNS, 2023, in Crime No.477 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 and on 07.10.2024, the accused persons are said to have restrained the defacto complainant and abused him in filthy language and he was also assaulted with wooden log and hands. There are totally 3 accused persons in this case and the petitioners have been arrayed as A2 and A3.

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

4. The petitioners moved anticipatory bail petition before the learned Principal



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Sessions Judge, Madurai and they were granted anticipatory bail in Crl.M.P.No.5892 of 2024 by an order dated 21.10.2024. The petitioners did not surrender within the time stipulated by the Court and they filed a petition for extension of time. That petition was dismissed by an order dated 13.11.2024.

5. Taking into consideration the facts and circumstances of the case and considering the nature of dispute between the parties and taking note of the fact that the injured has already been discharged from the hospital and there are previous cases against the petitioners for offence under the Prohibition Act, 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.V, Madurai, 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:



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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 daily at 10.30 a.m. for a period of two 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 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
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 NO.V, MADURAI,
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE INSPECTOR OF POLICE,
KARIMEDU POLICE STATION,
MADURAI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

CRL OP(MD) No.22681 of 2024

Date :20/12/2024

RK/SKN (06/01/2025) 5P / 5C

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