



CRL OP(MD). No.22893 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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1.P.Ramachandran

2.P.Selva Murugan

... Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamil Nadu,
Rep., by
The Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
(Crime No.379 of 2024)

... Respondent/Complainant

For Petitioners : Mr.K.P.Narayanakumar

Advocate.

For Respondent : Mr.M.Sakthikumar

Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.379 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 and 2, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 126(2), 296(b), 118(1) and 351(3) of BNS in Crime No.379 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 12.12.2024 at about 12 pm, when the defacto complainant was walking from Vagaikulam to Sayarpuram Road, due to previous enmity between the defacto complainant's brother *viz.*, Sundarapandi and the petitioners regarding sheep grazing, the petitioners restrained the defacto complainant, attacked him and gave life threat with dire consequences. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case. They have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) submits that due to previous



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enmityst between the defacto complainant's brother and the petitioners, the petitioners restrained the defacto complainant, attacked him and gave life threat with dire consequences. Hence, he objected to grant anticipatory bail to the petitioners. He further submitted that there is no previous case as against the petitioners and the injured is also discharged from the hospital. However strongly opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the representation made by the learned counsel on either side, the nature of offences charged against the petitioners and that the injured was discharged from hospital and that no previous case is pending against the petitioners, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on anticipatory bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the **Judicial Magistrate No.III, Thoothukudi** and on further conditions that:

[b] the petitioners shall report before the respondent Police on every Saturday at 10.00 A.M. for a period of four weeks and thereafter as and when required for interrogation.



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[c] the petitioners shall not commit any offences of similar nature.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

sd/-
27/12/2024

/ TRUE COPY /

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

ABR

TO

1 THE JUDICIAL MAGISTRATE NO.III
THOOTHUKUDI.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

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

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

+1 CC to M/s.K.P.NARAYANAKUMAR, Advocate (SR-15884[I] dated
27/12/2024)

ORDER
IN

CRL OP(MD) No.22893 of 2024

Date :27/12/2024

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