



CRL OP(MD). No.22896 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.Thangavel

2.Indhra

3.Ajitha ...Petitioners/ Accused 1, 2 & 4

Vs

State of Tamil Nadu,
Rep., by the Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
(Crime No.400/2024)

.. Respondent/Complainant

For Petitioners : Mr.B.Anandan
Advocate.

For Respondent : Mr.M.Sakthikumar
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER:-

For Anticipatory Bail in Cr.No.400 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1, 2 and 4 who apprehend arrest at the hands of the respondent for the offences punishable under Sections 296(b), 118(1) and 351(3) of BNS in Crime No.400 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the second petitioner, who are husband and wife were leading their lives at Thanjavur. Due to some misunderstanding, the second petitioner left from the matrimonial house. While so, on 08.12.2024, when the defacto complainant went to the second petitioner's residence asking her to come back to the matrimonial house, scuffle arose between the defacto complainant and the second petitioner's father and relatives in which they caused injury to the defacto complainant and threatened him with dire consequences. Hence, the case.



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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 family dispute, there was a fisticuff between the parties, in which the defacto complainant got injury and was admitted in the hospital. He further submits that the second petitioner was already separated from the defacto complainant. He further submitted that there is no previous case as against the petitioners and the injured was also discharged from the hospital. However, he objected to grant anticipatory bail to the petitioners.

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, that there is a family dispute pending between the parties and that the injured is 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:



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[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 District Munsif cum Judicial Magistrate, Orathanadu 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.

[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



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Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

Section 269 B.N.S.

sd/-

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/01/2025

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

abr

TO

1. THE THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, ORATHANADU

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.

3.THE INSPECTOR OF POLICE,
PAPPANADU POLICE STATION,
THANJAVUR DISTRICT.

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

+1 cc to MR.B.ANANDAN, Advocate SR No.15875 dated 27.12.2024

ORDER

IN

CRL OP(MD) No.22896 of 2024

Date :27/12/2024

RK/SKN (02/01/2025) 5P / 6C

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