



CRL OP(MD). No.22909 of 2024

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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.Raja

2.Moorthi

... Petitioners/ Accused Nos.2 & 3

Vs

The State of Tamil Nadu,
Rep., by
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No.442 of 2024)

... Respondent/Complainant

For Petitioners : Mr.S.Arokia Selva Ramesh
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.442 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.2 and 3, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 296(b), 118(2) and 351(3) of BNS in Crime No.442 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 12.10.2024 at about 8.00 am, the accused persons abused the defacto complainant with filthy languages, attacked him with iron pipe, brick and stone and caused blood injury to his head and also threatened him 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 enmity, the accused persons abused the defacto complainant, attacked him with iron pipe, brick and stone and caused injury and also threatened him 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 that the injured is also discharged from the hospital. He further submitted that there is a case



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in counter.

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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 there is a property dispute pending between the parties and also considering the fact that the injured was discharged from hospital and that no previous case is pending against the petitioners and also the fact that there is a case in counter, 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 Court, Nilakkottai, Dindigu District 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.



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[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/-

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/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,
NILAKKOTTAI, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
BATLAGUNDU POLICE STATION,
DINDIGUL DISTRICT.

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

MADURAI

<https://www.hmc.tn.gov.in/judis>



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ORDER
IN
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Date :27/12/2024

SA/SKN/SAR. /02.01.2025/5P/5C

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