



CRL OP(MD). No.22919 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

CRL OP(MD). No.22919 of 2024

Bojan

...Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep., by
The Sub-Inspector of Police,
Palanichettypatti Police Station,
Theni.
(Crime No.501 of 2024)

.. Respondent/ Complainant

For Petitioner : Mr.R.Manoharan
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.501 of 2024 on the file of the
respondent police.



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ORDER: The Court made the following order :-

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The petitioner/1st Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 351(3) and 115(2) of BNS in Crime No.501 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 15.12.2023, when there was no one except the wife of the defacto complainant in his house, the petitioner herein allegedly stood outside his house and used abusive language against the defacto complainant's wife. On knowing about the incident, when the defacto complainant enquired about the same, the petitioner hit the defacto complainant with weapons and also threatened him. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case. He has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) submits that the petitioner hit the defacto complainant with weapons causing injuries and also threatened him. Hence, he objected to grant anticipatory bail to the petitioner. He further submitted that there is no previous case as against the petitioner and the injured is also discharged from the hospital. He also submitted that there a case in counter.



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

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

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 Judicial Magistrate, Theni District and on further conditions that:

[b] the petitioner 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 petitioner shall not commit any offences of similar nature.

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

[e] the petitioner 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 petitioner in



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accordance with law as if the conditions have been imposed and the petitioner 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

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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,
THENI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

3 THE SUB-INSPECTOR OF POLICE,
PALANICHETTYPATTI POLICE STATION,
THENI.

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

+1 CC to M/s.R.MANOCHARAN, Advocate (SR-15903[I] dated 27/12/2024)



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ORDER
IN
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Date :27/12/2024

SA/SKN/SAR. /02.01.2025/5P/6C

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