



CRL OP(MD). No.22936 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. Chinniah

2. Chinnasamy @ chinnaalagu

... Petitioners/ Accused No.1 & 2

Vs.

The State of Tamilnadu,
Rep. by the Inspector of Police,
Kottampatty Police Station,
Madurai District.

Crime No. 365/2024..

... Respondent/Complainant

For Petitioners : M/s. Kalpana.B,

For Respondent : Mr.M.Sakthi Kumar

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 365 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ accused Nos.1 and 2, who apprehend arrest at the hands of



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the respondent for the offences punishable under sections 296(b), 118(1) and 49 of BNS Act, 2023 in Crime No.365 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner attacked the defacto complainant with a blow on the head of the defacto complainant's husband due to which he sustained injuries. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was falsely implicated in this case. He has not committed any offence as alleged by the prosecution. The defacto complaint only has beaten the first petitioner and the first petitioner sustained injury and a counter has been registered in Crime No.364 of 2024 for the offences under Sections 296(b), 118(1) and 49 BNS.

4. The learned Government Advocate (Crl. Side) submits that the defacto complainant and the accused are neighbours and the accused attacked the victim and the injured was discharged from the hospital and the petitioners are having no previous case. However he strongly objected for grant of anticipatory bail to the



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

6. Considering the rival submissions on either side, considering the nature of offences charged against the petitioners, injured was discharged from the hospital, considering the fact the petitioners are having no previous cases, 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, Melur, and on further conditions that:

[b] the petitioner shall report before the respondent police on all Saturdays 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.



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[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 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.

MKN/CM

TO

1 THE JUDICIAL MAGISTRATE
MELUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



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3 THE INSPECTOR OF POLICE,
KOTTAMPATTY POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.B.KALPANA, Advocate (SR-15896[I] dated 27/12/2024)

ORDER
IN

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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