



CRL OP(MD). No.22959 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.G.Madhankumar
2.M.Mahendran

... Petitioners/ Accused rank not known

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.
(Crime No.410/2024)

... Respondent/Complainant

For Petitioners : Mr.K.Dinesh
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Cr.No.410 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent for the



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offences punishable under Sections 296(b), 126(2), 115(2), 118(1) and 351(3) of BNS and Section 4 of TNPHW Act on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are well known friends to each other. On 02.11.2024 at about 16.30 hours, due to money dispute, the petitioners abused the defacto complainant using filthy language and assaulted with knife and thereby caused injury to the defacto complainant and also threatened him. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and he was falsely implicated in this case and they are no way connected in the above said incident. They have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) fairly submits that no criminal case is pending against the petitioners and they have assaulted with knife and thereby caused injury to the defacto complainant and he opposed to grant anticipatory bail to the petitioners.

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

6. Considering the rival submissions on either side and the nature of offences charged against the petitioners, and that no previous case is pending against the



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petitioners and also considering the fact that injured was discharged from the hospital and the co-accused have arrested and released on bail, 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) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.2, Sivakasi, and on further conditions that:

[b] the petitioners shall report before the respondent police, every Saturday at 10.00 a.m. for a period of four weeks, and thereafter as and when required for the 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 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

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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.

RJR
TO

1 THE JUDICIAL MAGISTRATE NO.2,
SIVAKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.22959 of 2024
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.