



CRL OP(MD). No.23008 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.Deepak
2.Dhanalakshmi
3.Lalitha

...Petitioners/ Accused Nos.1 to 3

Vs

The State represented by
The Inspector of Police,
Kattuputhur Police Station,
Trichy District.
(Crime No.338/2024)

... Respondent/Complainant

For Petitioners : Mr.S.Balaji
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.338 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 petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Section 296(b), 115(2) of BNS r/w Section 4 of TNWPH Act on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 19.12.2024 the 1st petitioner lighting the crackers while cremation of neighbour in front of the defacto complainant's house. At that time, the defacto complainant questioned the same, there was wordy quarrel arose between the 1st petitioner and the defacto complainant. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have 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 there was wordy quarrel arose between the 1st petitioner and the defacto complainant and thereby caused injury to the defacto complainant and hence, he opposed to grant 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, the nature of offences charged against the petitioners, that no previous case is pending against the petitioners, considering the fact that injured was discharged from the hospital and there is a case and counter case, 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 District Munsif cum Judicial Magistrate, Thottiyam, 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.



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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/-
27/12/2024

/ TRUE COPY /

/01/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RJR

TO

- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THOTTIYAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KATTUPUTHUR POLICE STATION,
TRICHY DISTRICT.



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

+1 CC to M/s.S.BALAJI, Advocate (SR-15912[I] dated 27/12/2024)

ORDER
IN
CRL OP(MD) No.23008 of 2024
Date :27/12/2024

SS/SKN/SAR- /02/01/2025/ 5P/6C

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