



CRL OP(MD). No.23033 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.12.2024

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THE HON'BLE MR. JUSTICE P.DHANABAL

CRL OP(MD). No.23033 of 2024

M.Kannadasan

... Petitioner / Accused No.1

Vs.

The State of Tamil Nadu
represented by,
The Inspector of Police,
Thathaiyangan Pet Police Station,
Trichy.
(Crime No.183 of 2024)

... Respondent / Complainant

PRAYER: The Criminal Original Petition is filed under Section 482 of the BNSS praying to grant anticipatory bail to the petitioner in Crime No.183 of 2024 on the file of the respondent police.

For Petitioner : Mr.N.Padma Boopathy, Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Section 482 of B.N.S.S, 2023



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ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNS, 2023, in Crime No.183 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was working as a coolie in the construction site of one Muvir. At that time, the petitioner came to the working place and threatened the defacto complainant not to work under the said Muvir. After that the petitioner along with some other accused attacked the defacto complainant and threatened him with dire consequences. Thereafter, the defacto complainant was admitted in the Musir Government Hospital. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is law-abiding citizen and he is ready and willing to furnish substantial sureties and to abide by any conditions that may be imposed by this Court; therefore, he prayed to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent



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police submitted that, due to previous enmity between the accused and the defacto complainant, the petitioner along with the other accused, abused the defacto complainant with filthy language and assaulted the defacto complainant with knife and that he sustained injuries and was admitted to the hospital. He further submitted that there are no previous cases pending against the petitioner and that the injured was discharged from the hospital. However, he vehemently opposed the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel on both side and perused the materials available on record.

6. Considering the representation made by both sides, the nature of offences, the fact that already the injured was discharged from the hospital and also taking into consideration that there are no previous cases pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on



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which the order copy was made ready, before the learned Judicial Magistrate Court, Thuraiyur, on condition that the petitioner shall 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 learned Magistrate concerned, and on further conditions that:

[a] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m. for a period of four weeks;

[b] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[c] the petitioner shall not leave India without the prior permission of the Court;

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

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial

Court is entitled to take appropriate action against the petitioner in accordance with

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



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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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

sd/-
27/12/2024

/ TRUE COPY /

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

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TO

1. THE JUDICIAL MAGISTRATE, THURAIYUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
3. THE INSPECTOR OF POLICE,
THATHAIYANGAR PET POLICE STATION,
TRICHY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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WEB COPY +1 CC to M/s.S.PALANIKUMAR, Advocate (SR-15892[I] dated 27/12/2024)

ORDER
IN
CRL OP(MD) No.23033 of 2024
Date :27/12/2024

RK/SKN (03/01/2025) 6P / 6C

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