



CRL OP(MD). No.23047 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

CRL OP(MD). No.23047 of 2024

Bharathi @ Bharathiraja

...Petitioner/ Accused No.4

Vs

State rep. by
The Inspector of Police,
Lalapettai Police Station,
Karur District.
(Crime No.534/2024)

... Respondent/ Complainant

For Petitioner : Mr.K.Arunraj
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.534 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/Accused No.4, who apprehends arrest at the hands of the respondent for the offences punishable under Section 296(b), 232(1), 351(3) of BNS r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 12.12.2024 the defacto complainant, who is the mother in law of A2 lodged a complaint before the respondent police. The defacto complainant is witness of the murder case in S.C.No.33 of 2022 on the file of the Principal District Judge, Karur in which A1 is the main accused in the case. Based on the motive, the petitioner and other accused were threatened the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he is no way connected in this case and the petitioner has been falsely implicated in this case. He has not committed any offence as alleged by the prosecution. Hence, prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) fairly submits that there are



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totally 4 accused in this case and the petitioner has been arrayed as A4. The defacto complainant is witness of the murder case in S.C.No.33 of 2022 on the file of the Principal District Judge, Karur in which A1 is the main accused in the case. Based on the motive, the petitioner and other accused were threatened the defacto complainant and the petitioner is having no previous case and A1 to A3 were arrested and are still in custody. Hence, he opposed to grant anticipatory bail to the petitioner.

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 petitioner, that there is no previous case against the petitioner and the prime accused was already secured by the police and as per the petitioner he was not present in the scene of occurrence, 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 for a like sum to the satisfaction of the Judicial Magistrate No.I, Kulithalai, and on further conditions that:

[b] the petitioner 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



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interrogation.

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[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 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 (CS-I / II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RJR



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TO
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1.THE JUDICIAL MAGISTRATE NO.I, KULITHALAI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

3.THE INSPECTOR OF POLICE,
LALAPETTAI POLICE STATION,
KARUR DISTRICT.

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

+1 cc to MR.K.ARUNRAJ, Advocate SR No.15928 dated 27.12.2024

ORDER
IN
CRL OP(MD) No.23047 of 2024
Date :27/12/2024

RK/SKN (02/01/2025) 5P / 6C

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