



CRL OP(MD). No.23057 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

CRL OP(MD). No.23057 of 2024

1.A.Salai Manickam
2.Salaimaran

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Karimedu Police Station,
Madurai.
(Crime No.615/2024)

... Respondent/Complainant

For Petitioners : Ms.P.Rohini, 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.615 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 296(b), 303(2) and 351(3) of BNS, in Crime No.615 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there existed civil dispute between the

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



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parties and in this regard one previous case has already been pending against each other and that the petitioners abused the defacto complainant in filthy language and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. Hence, prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) fairly submits that due to civil dispute between the parties, the petitioners abused the defacto complainant in filthy language and also threatened him with dire consequences. This is a case and case in counter and the investigation is pending. Hence, 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 there existed property dispute between the parties and the counter case is also pending, 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)



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each with two sureties each for a like sum to the satisfaction of the Judicial Magistrate

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IV, Madurai and on further conditions that:

[b] the petitioners shall report before the respondent Police on every Saturday at 10.00 A.M. for a period of four weeks.

[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 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.



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To

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1 THE JUDICIAL MAGISTRATE NO.IV, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE, KARIMEDU POLICE STATION, MADURAI.

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

ORDER

IN

CRL OP(MD) No.23057 of 2024

Date :27/12/2024

RS/SKN/SAR-(02.01.2025) 4P 5C

Madurai Bench of Madras High Court is issuing
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