



CRL OP(MD). No.23096 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.23096 of 2024

Ramesh @ Rameshkumar

... Petitioner / Accused No.2

Vs.

The State of Tamil Nadu
represented by,
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.187 of 2023)

... 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.187 of 2023 on the file of the respondent police.

For Petitioner : Mr.S.Ananthamurugan

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

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 448, 427, 294(b), 324, 506(ii) of IPC, in Crime No.187 of 2023, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that there is a love affair between A1 and the daughter of the defacto complainant. When the same was questioned by the defacto complainant, the accused persons are said to have trespassed into the house of the defacto complainant and caused damage to the house and abused him in filthy language and assaulted the sister of the defacto complainant by using iron rod and also threatened them with dire consequences. 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 police submitted that there are totally 3 accused persons in this case and the petitioner has been arrayed as A2. He further submitted that the petitioner was already arrested and released on bail in an another case and on the confession of the co-accused, the petitioner has been implicated in this case. He further submitted that there is one previous case pending against this petitioner and the investigation is almost completed. However, he vehemently opposed the grant of anticipatory bail



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to the petitioner.

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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 though there is one previous case pending against the petitioner already bail was granted in this case and the investigation was almost completed, 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 which the order copy was made ready, before the learned Judicial Magistrate Court No.I, Sivagangai, Sivagangai District, 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 daily at 10.30 a.m. for a period of 30 days;

[b] the petitioner shall not directly or indirectly make any inducement, threat



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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 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

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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 கனம் உரிமை

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1.The Judicial Magistrate No.I,
Sivagangai, Sivagangai District.

2.Do through the Chief Judicial Magistrate,
Sivagangai District.

3.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.23096 of 2024

Date :27/12/2024

ED/SKN /SAR- (02/01/2025) 5P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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