



Crl.O.P.(MD) No.23111 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD) No.23111 of 2024

1.Chinnaian

2.Prakash

3.Saradhambal

4.Boopathy

5.Vembarasi

6.Vengateshwaran

... Petitioners / A1 to A6

-VS-

The State of Tamil Nadu
rep.by Inspector of Police
Orathanadu Police Station
Thanjavur District
(Cr.No.842 of 2024)

... Respondent / Defacto Complainant

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER: Petition filed under Section 482 of BNSS to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.842 of 2024, on the file of the respondent – Police.



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For Petitioners : Mr.T.Sekar, Advocate

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

ORDER

The petitioners / A1 to A6, who apprehend arrest at the hands of the respondent - Police for the offences punishable under Sections 191(2), 191(3), 296(b), 118(1), 351(2) and 303(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on the fateful day, the petitioners attacked the de facto complainant with wooden log and caused injuries to him. Further, the petitioners took Rs.2 Lakhs and cell phone from the de facto complainant and threatened him with dire consequence and scolded him in filthy language. Hence, the case.

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



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anticipatory bail to the petitioners.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent - Police would submit that on the fateful day, the petitioners attacked the de facto complainant with wooden log and caused injuries to him. Further, the petitioners took Rs.2 Lakhs and cell phone from the de facto complainant and threatened him with dire consequence and scolded him in filthy language. He would further submit that this is a case and counter case and the injured has been discharged from the hospital and there is no previous case pending against the petitioners herein. However, he strongly 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 as against the petitioners and it is a case and counter case and the injured has been discharged from the hospital and no previous case is pending against the petitioners, 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) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Orathanadu, Thanjavur District, and on further conditions that:



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- [b] the petitioners shall report before the respondent - Police, on all Saturdays at 10.00 A.M. for four weeks and thereafter, as and when required for 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.
- [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 abscond, 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.

krk



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TO: 

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1. THE JUDICIAL MAGISTRATE, ORATHANADU, THANJAVUR DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.
- 3.THE INSPECTOR OF POLICE,
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.23111 of 2024
Date :27/12/2024

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

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