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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.47 of 2025

Subburaj

... Petitioner / Sole Accused

Vs

The State of Tamil Nadu
Represented by the Sub-Inspector of Police,
Irukkangudi Police Station,
Virudhunagar District.
(Crime No.211 of 2024)

... Respondent/Complainant

M.Solai Pandi ... Petitioner/Intervener
in Crl MP(MD) 349/2025

For Petitioner : Mr.M.Jothi Basu,
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate
(Criminal Side)

For Intervenor : Mr.S.Vellaichamy,
Advocate

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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 211 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Section 118(1) of BNS, 2023, in Crime No.211 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a dispute between the defacto complainant and the petitioner regarding a shop in a place which belongs to a temple. On 25.12.2024, the petitioner is said to have dashed the defacto complainant in a two wheeler and thereby, caused injury.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and the nature of the dispute between the parties and also considering the fact that the injured has been discharged from the hospital and out of the 7 previous cases against the petitioner, only one case is pending at the stage of trial, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of

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arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Sattur, Virudhunagar, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall appear before the respondent police as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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

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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, 2023.

sd/-

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/02/2025

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

pal

TO

1 THE JUDICIAL MAGISTRATE NO.II,
SATTUR,
VIRUDHUNAGAR.

2 THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3 THE SUB INSPECTOR OF POLICE,
IRUKKANGUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-587[I] dated 21/01/2025)

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ORDER
IN
CRL OP(MD) No.47 of 2025
Date :20/01/2025

NBF / SKN / SAR- (06/02/2025) 5P / 6C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023

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