



CRL OP(MD). No.46 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.46 of 2025

1.Sumathi

2.Karthikayini

(Wrongly mentioned in FIR as Karthikayani)

... Petitioners / Accused 2&4

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Austinpatti Police Station,
Madurai District.
(Crime No.300 of 2024)

... Respondent/Complainant

For Petitioners: Mr.N.Vivek Kumar,
Advocate

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

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

PRAYER :- For Anticipatory Bail in Crime No. 300 of 2024 on the file of the
respondent police.

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



CRL OP(MD). No.46 of 2025

WEB COPY ORDER: The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 296(b), 118(1), 351(3) of BNS and Section 4 of the TNPHW Act, in Crime No.300 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 23.12.2024, when the defacto complainant was cleaning the drainage, the accused persons are said to have questioned the same and abused the defacto complainant and his wife in filthy language and threatened them with dire consequences and attacked them with hands. There are totally 4 accused persons in this case and the petitioners have been arrayed as A2 and A4. A1 and A3 were arrested in this case.

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 considering the manner in which this incident had taken place and taking note of the fact that there is a case and counter case pending investigation before the respondent police in Crime Nos.299 and 300 of 2024 and taking note of the previous cases against the first petitioner, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CRL OP(MD). No.46 of 2025

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5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Thirumangalam, Madurai, on condition that the petitioners 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 petitioners 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 petitioners shall report before the respondent police on every Monday and Friday at 10.30 a.m. for a period of 4 weeks and thereafter, as and when required.

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

[d] the petitioners 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 petitioners released on bail by the



CRL OP(MD). No.46 of 2025

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. IPC.

sd/-
06/01/2025

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/01/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL
TO

1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
AUSTINPATTI POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.M.VIVEK KUMAR, Advocate (SR-188[I] dated 07/01/2025)



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CRL OP(MD). No.46 of 2025

ORDER
IN
CRL OP(MD) No.46 of 2025
Date :06/01/2025

SA/SKN/SAR. /17.01.2025/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.