



CRL OP(MD)No.321 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD)No.321 of 2025

Ashok

... Petitioner/ Accused No.1

Vs

State rep by
The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.
Crime No. 463 of 2024

... Respondent/Complainant

For Petitioner : Mr.C.Kannathasan,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate
(Criminal Side)

For Intervenor : Mr.N.Saravanan,
Advocate.

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

PRAYER :-

For Anticipatory Bail in Crime No.463 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 126(2), 127(2), 296(b), 115(2), 118(1), 351(3) and 303(2) of BNS, 2023, in Crime No.463 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that there is a money dispute between the defacto complainant and A1. A2 had issued cheques for settlement of the dues and when the cheques were deposited, it was dishonoured. In view of the same, the defeacto complainant had initiated proceedings under Section 138 of the Negotiable Instruments Act against the wife of A1. NBW was issued during the pendency of the proceedings. It is alleged that on 05.12.2024, both the accused persons restrained the defacto complainant and abused him in filthy language and threatened him to withdraw the case. While this was happening, there were 2 other unknown persons involved and A1 is said to have stabbed the defacto complainant with knife in his abdomen and A2 has assaulted with hand. There are totally 2 named accused persons and 2 unnamed accused persons in this case and the petitioner has been arrayed as A1.



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3. When the matter came up for hearing on 08.01.2025, this Court directed the learned Government Advocate to take instructions as to whether there is a stab injury sustained by the defacto complainant. On verification, the learned Government Advocate on specific instructions, submitted that the defacto complainant suffered stab injury due to attack by knife by the petitioner (A1).

4. In the considered view of this Court, there was already a pending dispute between the parties and a private complaint was filed by the defacto complainant for offence under Section 138 of Negotiable Instruments Act. When this was pending, the defacto complainant has been attacked and stabbed with knife by A1. Considering the same, this Court is not inclined to grant anticipatory bail to the petitioner and accordingly, this criminal original petition is dismissed.

sd/-
09/01/2025

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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 INSPECTOR OF POLICE,
NAGAMALAI PUDUKOTTAI POLICE STATION, MADURAI DISTRICT.



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

+1 CC to M/s.N.SARAVANAN, Advocate (SR-422[I] dated 10/01/2025)

ORDER
IN
CRL OP(MD) No.321 of 2025
Date :09/01/2025

SS/SKN/SAR- /24/01/2025/ 4P/4C

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