



CRL OP(MD). No.514 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.514 of 2025

1.Kannan

2.Balakrishnan

... Petitioners/ Accused 1&2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Devadhanapatti Police Station,
Theni District.
(Crime No.439 of 2024)

... Respondent/Complainant

For Petitioners : Mr.S.Muniyandi,
Advocate

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

For Intervenor : Mr.Sathya Chidambaram,
Advocate

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



CRL OP(MD). No.514 of 2025

WEB COPY
PRAYER :-

For Anticipatory Bail in Crime No. 439 of 2024 on the file of the respondent police.

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 126(2), 296(b), 115(2), 118(1), 351(3) and 303(2) of BNS, in Crime No.439 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a previous enmity between the parties and on 27.12.2024 at about 10.00 hrs, the accused persons are said to have abused the defacto complainant in filthy language and attacked the defacto complainant and another person with aruval and threatened them with dire consequences. As a result, there were totally 3 victims who sustained serious injuries.

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 fact that there is a case and counter case pending investigation before



CRL OP(MD). No.514 of 2025

the respondent police in Crime Nos.438 and 439 of 2024 and considering the fact that the three victims have been discharged from the hospital and also considering the fact that A1 has two previous cases and A2 has four previous cases against them, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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, Periyakulam, 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



CRL OP(MD). No.514 of 2025

and Friday at 10.30 a.m. for a period of six 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 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, 2023. IPC.

sd/-
10/01/2025

/ TRUE COPY /

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

PAL



CRL OP(MD). No.514 of 2025

WEB COPY

- TO
- 1 THE JUDICIAL MAGISTRATE,
PERIYAKULAM.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
DEVADHANAPATTI POLICE STATION,
THENI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.MUNIYANDI, Advocate (SR-392[I] dated 10/01/2025)

ORDER
IN
CRL OP(MD) No.514 of 2025
Date :10/01/2025

SS/SKN/SAR- /24/01/2025/ 5P/6C

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