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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.668 of 2025

1.Velankanni

2.Soosaiyammal

... Petitioners / A1 & A2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Mathur Police Station,
Pudukottai District.
(Crime No.217 of 2024)

... Respondent/Complainant

For Petitioners : Mr.Dr.R.Alagumani,
Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 217 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 alleged offences under Sections 191(2), 191(3), 296(b), 118(1) and 351(3) of BNS 2023, in Crime No.217 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that one Reetamary was married to one Arockiasamy and there was a girl child born through that marriage. On 17.11.2024, the said Reetamary committed suicide. As a result, a dispute arose between the family members of Reetamary and the family members of Arockiasamy touching upon the custody of the girl child. On 25.12.2024, there was a quarrel regarding the handing over of the custody of the girl child wherein the accused persons are said to have refused to hand over the custody. When the same was attempted to be mediated by the elders, the parties did not reach any settlement and hence, the defacto complainant and his family members returned back home. At about 11.00 p.m., on the same day, the accused persons are said to have come to the house of the defacto complainant and abused in filthy language and also attacked the defacto



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complainant and his grandson and also the daughter-in-law. The defacto complainant, who was aged about 84 years was admitted as an inpatient in Trichy Government Hospital and his statement was recorded and an FIR came to be registered in Crime No.217 of 2024. For the very same incident, a counter-case was also registered in Crime No.218 of 2024 based on the complaint given by the second petitioner.

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 the entire incident had taken place and taking note of the fact that the deceased was a very old man aged about 84 years who sustained injuries and was admitted to the hospital on 25.12.2024 and he died on 03.01.2025 due to injuries and also considering the fact that there is a case and counter-case pending investigation before the respondent police and a family dispute is involved, this Court is inclined to grant anticipatory bail to the petitioners.



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5. Accordingly, the petitioners are ordered to be released on bail in the event of 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, Keeranur, Pudukottai District, 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 every Monday and Friday at 10.30 a.m for a period of six weeks and thereafter, as and when required for interrogation.

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



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[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 petitioner 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.

Sd/-
20/01/2025

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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To
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- 1 THE JUDICIAL MAGISTRATE,
KEERANUR, PUDUKOTTAI DISTRICT.
- 2 -DO- THROUGH -THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
MATHUR POLICE STATION,
PUDHUKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.DR.R.ALAGUMANI, Advocate (SR-529[I] dated 20/01/2025)

ORDER
IN
CRL OP(MD) No.668 of 2025
Date :20/01/2025

ES/SKN/SAR /03.02.2025/ 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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