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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.776 of 2025

1.Sugantha

2.S.Murugaboopathi

3.Sindhuja

4.Raja

...Petitioners / Accused Nos.1, 4, 5 & 6

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Keelavalavoo Police Station,
Madurai District.
(Crime No.290 of 2024)

... Respondent/Complainant

For Petitioners : Mr.K.Prabhu,
Advocate

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



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

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PRAYER :-

For Anticipatory Bail in Crime No. 290 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 191(2), 329(4), 296(b), 115(2), 118(1) and 351(3) of Bns and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.290 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a drainage water dispute between the parties. On the date of occurrence, the accused persons are said to have abused the defacto complainant in filthy language and assaulted with knife and also threatened with dire consequences. There are totally 7 accused persons in this case and the petitioners have been arrayed as A1, A4, A5 and A6.

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



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4. Taking into consideration the facts and circumstances of the case and considering the fact that there was a dispute between the parties and the injured has been discharged from the hospital and there are no previous cases against the petitioners and also considering the fact that there is a case and counter case pending investigation in Crime Nos.290 and 291 of 2024 before the respondent police, 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 Court, Melur, Madurai 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:



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[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 appear before the respondent Police as and when required for interrogation.

[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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023. IPC.

Sd/-
20/01/2025

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRTE
MELUR, MADURAI DISTRICT.
- 2 DO-THROUGH- THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KEELAVALLAVU POLICE STATION,
MADURAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.776 of 2025
Date :20/01/2025

ES/SKN/SAR /31.01.2025/ 5P/5C

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