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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.869 of 2025

1.Jeyaprakash,
S/o. Jeyamurugan,
Ward 3 East Street,
Nadumudhalaikulam,
Usilampatti Taluk,
Usilampatti,
Madurai.

2.Jeyabharath,
S/o. Jeyamurugan,
Nadumudhalaikulam,
Usilampatti Taluk,
Usilampatti,Madurai..

... Petitioners/ Accused No.2 and 3

Vs

The State of Tamilnadu,,
Rep. by the Inspector of Police,
Vikkramangalam Police Station,
Madurai District.
(Crime No.164 of 2024).

... Respondent/ Complainant

For Petitioners : Mr.K.Bairavan.,
Advocate.

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



WEB COPY PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-31AB. For Anticipatory Bail in Crime No.164 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/accused Nos.2 and 3, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 191(2), 191(3), 296(b), 118(1), 351(3) of BNS Act in Crime No.164 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 both the parties. On the date of incident, the accused persons are said to have abused the defacto complainant in filthy language and assaulted with iron road and stick and also criminally intimidated the defacto complainant.

3.The learned Government Advocate (Crl.side) for the respondent submitted that there are totally six accused persons in this case and the petitioners have been arrayed as A2 and A3.



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4. Heard the learned appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

5. Taking into consideration the facts and circumstances of the case and considering the previous enmity between the parties and taking note of the fact that there is a case and counter case arising out of the same incident in Crime Nos. 164 and 165 of 2024 and also considering the fact that the injured has been discharged from the hospital and taking note of the two previous cases against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No. II, Usilampatti, Madurai District on condition that the petitioners shall execute a bond for a sum of Rs. 10,000/- (Rupees ten thousand only), each 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 said Magistrate, on further condition that:



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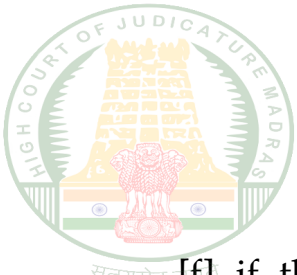
[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police every Friday at 05.30 p.m., for a period of four weeks and thereafter, 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 petitioners 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]; and;



[f] if the accused thereafter absconds, a fresh FIR can be registered under
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Section 229-A IPC.

Sd/-
21/01/2025

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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

- 1 THE JUDICIAL MAGISTRATE NO.II,
USILAMPATTI, MADURAI DISTRICT.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
VIKKRAMANGALAM POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.869 of 2025
Date :21/01/2025

ES/SKN/SAR /07.02.2025/ 5P/5C

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