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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.918 of 2025

Suresh

... Petitioner/ Accused

Vs

The State of Tamilnadu,,
Rep. By. the Inspector of Police,
Thenkarai Police Station,
Theni District.
(Crime No.574/2024)

... Respondent/Complainant

For Petitioner : Mr.J.Vishnu,

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.574 of 2024 on the file of the Respondent Police



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ORDER :- The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 296(b), 115(2), 303(2)(NH) and 351(2) BNS (hereinafter referred to as new penal code) in Crime No.574 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a financial dispute and when the defacto complainant asked for return of money, the petitioner is said to have abused the defacto complainant in filthy language, assaulted and caused threat to the defacto complainant.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent police.

4. Taking into consideration the facts and circumstances of the case and considering the nature of dispute between the parties and also considering the fact that the injured has been discharged from the hospital and there are no previous cases pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his



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appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Periyakulam, Theni District, on condition that the petitioner 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 said Magistrate, on further condition that:

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

[b] the petitioner 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.

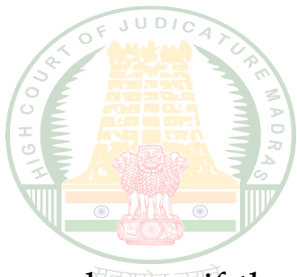
[c] the petitioner shall report before the respondent police as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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
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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;

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

sd/-
21/01/2025

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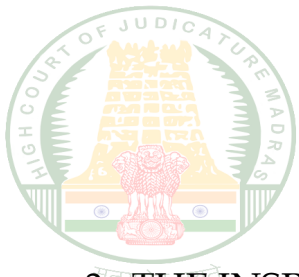
/02/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1 THE JUDICIAL MAGISTRATE,
PERIYAKULAM,
THENI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THENI
DISTRICT.



3 THE INSPECTOR OF POLICE,
THENKARAI POLICE STATION, THENI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.918 of 2025
Date :21/01/2025

NBF / SKN / SAR- (04/02/2025) 5P / 5C
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