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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.1117 of 2025

1. Tamilselvi

2. Suriya

3. Mittai Babu @ Babu

4. Manimegalai @ Jothika

... Petitioners/ Accused No.1 to 4

Vs

The State of Tamilnadu

Rep. by. The Inspector of Police,

Gandhi Market police Station,

Trichy City.

(in Crime No. 16 of 2025)

....Respondent/Complainant

For Petitioners : Mr.K.M.Karunakaran, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 16 of 2025 on the file of the respondent police.

<https://www.mhc.tn.gov.in/judis/>



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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 296(b), 115(2), 118(1) and 351(3) of BNS, 2023 in Crime No.16 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons approached the defacto complainant seeking to take on rent the property belonging to the defacto complainant. Considering the previous antecedents of the accused persons, the defacto complainant was not willing to give the house on rent. In view of the same, the accused persons are said to have abused the defacto complainant in filthy language and also threatened with dire consequences.

3. The learned Government Advocate (crl. Side) submitted that, A1 to A3 are history sheeters and there are previous cases against them. In so far as, A4, there are no previous cases. He further submitted that, injured has been discharged from the hospital.

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

the case

<https://www.mhc.tn.gov.in/judis>



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5. Considering the previous cases pending against A1 to A3, this Court is not inclined to grant anticipatory bail to A1 to A3 and this petition is dismissed in so far as they are concerned. Taking into consideration the facts and circumstances of the case and considering the fact that there are no previous cases pending against A4 and taking into consideration the fact that injured has been discharged from the hospital , this Court is inclined to grant anticipatory bail to the 4th petitioner (A4) with certain conditions.

6. Accordingly, the 4th petitioner (A4) is 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 No.5, Trichy on condition that the 4th petitioner (A4) 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 4th petitioner (A4) 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.



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[b] the 4th petitioner (A4) shall report before the respondent police as and when required for interrogation.

[c] the 4th petitioner (A4) shall not tamper with evidence or witness either during investigation or trial.

[d] the 4th petitioner (A4) 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 4th petitioner (A4) in accordance with law as if the conditions have been imposed and the 4th petitioner (A4) 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/-
23.01.2025

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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 NO.V,
TRICHY.

2 DO-THROUGH- THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
GANDHI MARKET POLICE STATION,
TRICHY CITY.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-707[I] dated 23/01/2025)

ORDER
IN

CRL OP(MD) No.1117 of 2025

Date :23/01/2025

ES/SKN/SAR. /12.02.2025/5P/6C

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