



CRL OP(MD). No.1396 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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1. Muthugurunathamani
2. Rathinavel
3. Pushbha @ Pushpa

... Petitioners/ Accused Nos.1 to 3

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
Crime No. 145 /2022.

... Respondent/Complainant

For Petitioners : Mr.D.Rajaboopathy, Advocate.
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.145/2022. on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners / Accused Nos.1 to 3, who apprehend arrest at the hands of the respondent Police for offences under Sections 294(b), 427 and 506(ii) of IPC in Crime



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No.145 of 2022 on the file of the respondent Police, seek anticipatory bail.

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2. The case of the prosecution is that there were several disputes between the parties and on the date of occurrence, the accused persons are said to have abused the defacto complainant in filthy language and threatened him with dire consequences.

3. The learned Government Advocate (Criminal Side) appearing for the respondent Police submitted that the petitioners had already moved anticipatory bail before the Sessions Court, Srivilliputhur in CrI.M.P.No.4494 of 2024 and the learned Sessions Judge granted anticipatory bail in favour of the petitioners by an order dated 29.11.2024. He further submitted that there are no previous cases against the petitioners.

4. The learned counsel appearing for the petitioners submitted that the petitioners were not able to execute the sureties within time and hence, the anticipatory bail granted by the Sessions Court lapsed and therefore, the present anticipatory bail petition has been filed before this Court.

5. Taking into consideration the facts and circumstances of the case and considering the fact that no one was injured in this case and considering the fact that there are no previous case 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



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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, Rajapalayam, Virudhunagar 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 (common surety) 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 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 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 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]; and;



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

sd/-
24/01/2025

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/02/2025

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

TSG

TO

- 1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.
- 3 THE INSPECTOR OF POLICE, RAJAPALAYAM SOUTH POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-929[I] dated 28/01/2025)

ORDER IN
CRL OP(MD) No.1396 of 2025
Date :24/01/2025

RS/SKN/SAR-(10.02.2025) 4P 6C
Madurai Bench of Madras High Court is issuing
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