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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.1432 of 2025

1.Jawahar @ Javahar
2.Maheswari
3.Sathaiah

... Petitioners / Accused No.1 to A3

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
(Crime No.7 of 2025)

... Respondent/Complainant

For Petitioners : Mr.A.Arputharaj,
Advocate

For Respondent : Mr.B.Thanga Aravindh,
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. 7 of 2025 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 296(b), 115(2), 118(1) and 351(3) of IPC, in Crime No.7 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a property dispute between the parties. The accused persons are said to have abused the defacto complainant in filthy language and attacked and caused injuries to the defacto complainant and threatened the defacto complainant with dire consequences.

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

4. Taking into consideration the facts and circumstances of the case and considering the manner in which the entire incident had taken place and taking note of the fact that there is already previous dispute between the parties for which a suit is pending before the competent civil Court and also considering the fact that there is a case and counter-case in Crime Nos.6 and 7 of 2025 pending investigation before the respondent police and the injured has been discharged from the hospital and



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taking note of the fact that there are no previous cases against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

5. Accordingly, the petitioners are 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, Paramakudi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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 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 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



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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 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/-
27/01/2025

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

PKN

TO

1 THE JUDICIAL MAGISTRATE,
PARAMAKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
EMANESWARAM POLICE STATION,
RAMANATHAPURAM DISTRICT.



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

+1 CC to M/s.A.ARPUTHARAJ, Advocate (SR-889[I] dated 27/01/2025)

ORDER
IN
CRL OP(MD) No.1432 of 2025
Date :27/01/2025

NBF / SAR- (13/02/2025) 5P/6C

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