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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.O.P.(MD)No.1476 of 2025

1.Ponnalaghan

2.Ponnaiah

3.Chinnaiah

4.Jeyadevi

... Petitioners/ A1, 2, 4 & 5

Vs

The Inspector of Police,
Natham Police Station,
Dindigul District.
(Crime No.32 of 2025)

... Respondent/Complainant

For Petitioners : Mr.K.R.Badurus Zaman
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS.



PRAYER :-

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For Anticipatory Bail in Crime No.32 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 191(2), 329(4), 296(b), 324(3), 115(2), 118(1), 351(3) of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.32 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was enmity between the parties. At the time of the occurrence, the accused persons are said to have abused the de facto complainant in filthy language, trespassed into the property, and assaulted the family members. There are a total of 5 accused. The petitioners have been arrayed as A1, A2, A4, and A5.

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



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4. Taking into consideration the facts and circumstances of the case, considering the manner in which the incident has taken place due to the previous dispute, taking note of the fact that there is a case and counter-case in Crime Nos.31 & 32 of 2025, and that the injured has been discharged from the hospital, and considering the fact that, except for A2, the others do not have any previous cases, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Natham, Dindigul District, 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.



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[b] the petitioners shall appear 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 petitioner 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].

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

Sd/-
27/01/2025

/ TRUE COPY /

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

JEN



TO
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- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
NATHAM, DINDIGUL DISTRICT.
- 2 DO- THROUGH- THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE,
NATHAM POLICE STATION,
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.R.BADURUS ZAMAN, Advocate (SR-921[I] dated 28/01/2025)

ORDER IN
CRL OP(MD) No.1476 of 2025
Date :27/01/2025

ES/SKN/SAR /03.02.2025/ 5P/6C

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