



CRL OP(MD). No.1551 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.1551 of 2025

1. Murugan

2. Pandiselvi

... Petitioners/ Accused

Vs

The State of Tamilnadu,
Rep. By. the Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
Crime No.353/2024.

... Respondent/Complainant

For Petitioner : M/s.Kannan Gurusami,

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. 353/2024. on the file of the Respondent
Police



CRL OP(MD). No.1551 of 2025

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 296(b), 115(2) and 118(1) of BNS (hereinafter referred to as new penal code) in Crime No.353 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a previous enmity between the parties and the accused persons are said to have abused the defacto complainant in filthy language and attacked with stick and hands and caused injuries and threatened with dire consequences. There are totally four accused persons in this case and the petitioners have been arrayed as A1 and A3.

3. Heard the learned counsel appearing for the petitioners 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 manner, in which, this incident had taken place and taking note of the fact that there is a case and counter case in Crime Nos.353 and 354 of 2024 pending investigation before the respondent police and also considering the fact that



CRL OP(MD). No.1551 of 2025

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the injured has been discharged from the hospital and there are no previous cases pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is ordered and the petitioners are ordered to be released on anticipatory bail in 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, Andipatti, Theni District**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each, 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 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 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 petitioners shall report before the respondent police as and when required for interrogation.

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



CRL OP(MD). No.1551 of 2025

[e] the petitioners 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 petitioners 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]*; and;

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

sd/-
28/01/2025

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

LR
TO

- 1 THE JUDICIAL MAGISTRATE
ANDIPATTI, THENI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KADAMALAIKUNDU POLICE STATION THENI DISTRICT..



CRL OP(MD). No.1551 of 2025

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

ORDER
IN
CRL OP(MD) No.1551 of 2025
Date :28/01/2025

SS/SKN/SAR- /14/02/2025/ 5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023