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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.1609 of 2025

Sivaperumal

... Petitioner / Accused (Rank Not Known)

Vs

The State of Tamil Nadu

Represented by the Inspector of Police,
Thirukkurungudi Police Station,
Tirunelveli District.

(Crime No.26 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.S.Sathyachidambaram,
Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 26 of 2025 on the file of the respondent police.



ORDER: The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 296(b), 115(2), 351(3) of BNS, 2023, in Crime No.26 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 had demanded money from the defacto complainant for consuming liquor. When the same was not given, there was a wordy quarrel and he along with the accused persons are said to have abused the defacto complainant in filthy language and attacked him with wooden log and threatened with dire consequences. There are totally 3 accused persons in this case and the petitioner has been arrayed as A2.

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 incident had taken place and also considering the fact that the injured has been discharged and there are 3 previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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5. Accordingly, the petitioner 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, Valliyur, Tirunelveli District, on condition that the petitioner 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 petitioner 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 petitioner shall report before the respondent police on every Monday and Friday at 10.30 a.m. for a period of 4 weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[d] the petitioner 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 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/-
28/01/2025

/ TRUE COPY /

/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,
VALLIYUR, TIRUNELVELI DISTRICT.
- 2 DO-THROUGH- THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
THIRUKKURUNGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-1066[I] dated 29/01/2025)

ORDER
IN
CRL OP(MD) No.1609 of 2025
Date :28/01/2025

ES/SKN/SAR /10.02.2025/ 5P/6C

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