



CRL OP(MD). No.1610 of 2025

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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

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Abinesh

... Petitioner / Accused No.1

Vs

The State of Tamil Nadu
Represented by the Sub-Inspector of Police,
Kaliyakkavilai Police Station,
Kanyakumari District.
(Crime No.36 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.S.Arul, 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. 36 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 126(2), 296(b), 118(1) and 351(3) of BNS, 2023,



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in Crime No.36 of 2025 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that there was a dispute between the defacto complainant and A1 on 09.10.2021 and a complaint was given and it was closed as compromised. This complaint is dated 09.10.2021. Due to this, there was a previous enmity between the parties and on 20.11.2024 , A1 is said to have come near the compound wall of the defacto complainant and entered the property and attacked with iron rod. Even thereafter, at about 11.30 p.m. when the defacto complainant was going towards the hospital for treating the injuries sustained, he was waylaid by the accused persons and he was once again attacked with iron rod, as a result of which, he sustained head injuries. A2 is said to have attacked with stones. There are totally 2 accused persons in this case and the petitioner has been arrayed as A1.

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 this incident had taken place and taking note of the fact that the injured has been discharged from the hospital and there are no previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of



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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 No.I, Kuzhithurai, Kanyakumari, 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 Friday at 10.30 a.m. for a period of 4 weeks and thereafter, as and when required.

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

[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



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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[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.

PAL

To

- 1.The Judicial Magistrate No.I,
Kuzhithurai, Kanyakumari.
 - 2.Do through the Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.
 - 3.The Inspector of Police,
Kaliyakkavilai Police Station,
Kanyakumari District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.S.ARUL, Advocate (SR-1029[I] dated 29/01/2025)



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ORDER

IN

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Date :28/01/2025

ED/ 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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