



CRL OP(MD). No.1736 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.1736 of 2025

Malliga,

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.
Crime No. 411/2024.

... Respondent/Complainant

For Petitioner : Mr. Jegadeesh Pandian.M,
Advocate.
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.411 of 2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

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The petitioner / A2, who apprehends arrest at the hands of the respondent Police for the offences under Sections 191(2), 296(b), 115(2), 118(1), 303(2), 324(4) and 351(3) of BNS, 2023 in Crime No.411 of 2024 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that there was previous dispute between the parties regarding the administration of a Temple. On the date of occurrence, the defacto complainant was travelling in his two-wheeler and they were waylaid and they were abused in filthy language and they were pushed from the vehicle and attacked with stones. There are totally 12 accused persons in this case and the petitioner has been arrayed as Accused No.2.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

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 a case and counter case pending investigation before the respondent Police in Crime Nos.410 and 411 of 2024 and also considering the fact that



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the injured has been discharged and there are no previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police as and when required for interrogation;

[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;



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[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]*; and;

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

sd/-
29/01/2025

/ TRUE COPY /

/02/2025

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

TSG
TO

- 1 THE JUDICIAL MAGISTRATE NO.I
NAGERCOIL, KANYAKUMARI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE,
RAJAKKAMANGALAM POLICE STATION,
KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-1191[I] dated 31/01/2025)

ORDER
IN
CRL OP(MD) No.1736 of 2025
Date :29/01/2025

SS/SKN/SAR- /13/02/2025/ 5P/6C

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