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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.1737 of 2025

Sankar @ Sankarkumar,
S/o Murugan,
No.18/1 North Street,
Aundipatti Taluka,
Ammachiyapuram,
Kunnur,
Theni District..

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Gandamanur Vilakku Police Station,
Theni District.
Crime No. 13/2025.

... Respondent/Complainant

For Petitioner : M/s. Dinesh.K,
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.13 of 2025 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.4, who apprehends arrest at the hands of the respondent Police for offences under Sections 191(2), 296(b), 118(1) and 351(3) of BNS, 2023 in Crime No.13 of 2025 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that during the pongal festival, there was a wordy quarrel when the accused persons were consuming alcohol. They are said to have attacked the defacto complainant with beer bottles and caused injuries. That apart, they also abused the defacto complainant in filthy language and threatened with dire consequences. There are totally five accused persons in this case and the petitioner has been arrayed as Accused No.4.

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



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4. Taking into consideration the facts and circumstances of the case and considering the manner in which this incident had taken place and also taking note of the fact that there is a case and counter case pending investigation before the respondent Police in Crime Nos.13 and 15 of 2025 and the injured has been discharged from the hospital and considering the fact that there is one previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

5. 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, Andipatti, 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;



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[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 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,
ANDIPATTI.



2. DO-THROUGH- THE CHIEF JUDICIAL MAGISTRATE
WEB COPY THENI DISTRICT.

3 THE INSPECTOR OF POLICE,
GANDAMANUR VILAKKU POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.K.DINESH, Advocate (SR-1198[I] dated 31/01/2025)

ORDER
IN
CRL OP(MD) No.1737 of 2025
Date :29/01/2025

ES/SKN/SAR. /12.02.2025/5P/6C

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