



CRL OP(MD). No.2003 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31.01.2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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1. Anto Kabil,
S/o. Anthony Pillai,
7/27, Anbiyam,
Kottilpadu, Colachel,
Kanyakumari District..

2. Velington,
S/o. Anthony Pillai,
4/580, Caridhas
Colony, Kottilpadu, Colachel,
Kanyakumari District..

3. Eugin,
S/o. A.Penaivious @ Anthony Pillai,
7/188, Antoniyar Colony, Kottilpadu,
Colachel, Kanyakumari District..

... Petitioners/ Accused 1-3

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Colachel Police Station,
Kanyakumari District.
Crime No. 344 /2024.

... Respondent/ Complainant



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For Petitioners : Ms.Roniga M P,
Advocate.

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.344/2024 . on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners / Accused Nos.1 to 3, who apprehend arrest at the hands of the respondent Police for offence under Sections 296(b), 115(2), 118(1) and 351(2) of BNS in Crime No.344 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 on the date of occurrence, the accused persons are said to have abused the defacto complainant in filthy language and attacked with sticks and helmet and caused injury and also threatened with dire consequences.

3. Heard the learned counsel appearing for the petitioners and the learned

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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 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 petitioners subject to the following conditions.

5. Accordingly, 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, Eraniel, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties (Common surety) 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 shall report before the respondent police as and when required for interrogation;



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

[d] the petitioners 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 petitioners 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/-
31/01/2025

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

TSG

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WIT TO COPY

- 1.THE JUDICIAL MAGISTRATE, ERANIEL,
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT @ NAGERCOIL.
 - 3.THE INSPECTOR OF POLICE,
COLACHEL POLICE STATION,
KANYAKUMARI DISTRICT.
 - 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.M.P.RONIGA, Advocate (SR-1230[I] dated 31/01/2025)

ORDER
IN

CRL OP(MD) No.2003 of 2025
Date :31/01/2025

RK/SKN (17/02/2025) 5P / 6C

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