



CRL OP(MD). No.2081 of 2025

WEB COPY 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. Akkim,

2. Akbar @ Akbar Bathusha,

3. Abdul Kani,

... Petitioners/ Accused

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Peraiyur Police Station,
Madurai District.
Crime No. 12/2025..

... Respondent/Complainant

For Petitioners : Mr.M.Jegadeesh Pandian,
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. 12 of 2025 on the file of the Respondent Police.



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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), 351(3) of BNS in Crime No.12 of 2025 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that there was a property dispute between the parties. On the date of incident, the defacto complainant wanted to enter the Mosque and at that point of time, there was a wordy quarrel, as a result of which, he was abused in filthy language and attacked with wooden log and hands and was threatened with dire consequences.

3. Heard the learned counsel appearing for the petitioners 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 fact that there was a previous dispute between the parties and there is a case and counter case pending investigation before the respondent Police in Crime Nos.12 and 13 of 2025 and considering the fact that the injured has been



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discharged and there is one previous case against each of 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 District Munsif cum Judicial Magistrate, Peraiyur, Madurai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 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;

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



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investigation or trial;

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[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/-

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/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

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, PERAIYUR, MADURAI DISTRICT.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
PERAIYUR POLICE STATION, MADURAI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.2081 of 2025

Date :31/01/2025

SS/SKN/SAR- /14/02/2025/ 5P/5C

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