



CRL OP(MD). No.22890 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Abdul @ Abdul Kalam

2.Athil Kursidh

... Petitioners / Accused No. 1 & 4

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Pandalgudi Police Station,
Virudhunagar District.
(Crime No.142 of 2024)

... Respondent/Complainant

For Petitioners : Mr.V.Neelakandan, Advocate

For Respondent : Mr.A.Albert James,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 142 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 petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 296(b), 115(2), 351(3) of BNS, 2023 and Section 4 of the TNPHW Act, 2002, in Crime No.142 of 2024 on the file of the respondent police, seek anticipatory bail.

2. There was a previous enmity between the parties. On the date of occurrence, the accused persons are said to have abused the defacto complainant, his mother and his brother in filthy language and threatened with dire consequences and also attacked with hands and iron rods resulting in injuries sustained by them. There are totally 4 accused persons in this case and the petitioners have been arrayed as A1 and A4.

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 also taking note of the fact that there is a case and counter case pending investigation before the respondent police in Crime Nos.141 and 142 of 2024 and also taking note of the fact that the injured has already been discharged from the hospital and there are no previous cases against the petitioners, this Court is inclined to grant anticipatory



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bail to the petitioners with certain conditions.

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5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Aruppukkottai, on condition that the petitioners 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 petitioners 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 petitioners shall appear before the respondent Police as and when required for interrogation.

[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 petitioner in accordance with



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law as if the conditions have been imposed and the petitioners 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].

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

sd/-
06/01/2025

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/01/2025
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

To

1.The Judicial Magistrate,
Aruppukkottai.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
Pandalgudi Police Station,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.KARTHIK, Advocate (SR-196[I] dated 08/01/2025)



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ORDER
IN
CRL OP(MD) No.22890 of 2024
Date :06/01/2025

ED/ GSV /SAR- (17/01/2025) 5P / 6C

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