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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). Nos.22960 & 22985 of 2024

Crl.O.P.(MD).No.22960 of 2024

Bharathi @ Bharathiraja,
S/o.Panneerselvam,
No.6/11,
Subramaniya Colony,
Pallividai Post,
Mannachanallur,
Trichy District.

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Manachanallur Station,
Trichy District.
Crime No.293/2024.

... Respondent/Complainant

For Petitioner : Mr.S.Veerapandiselvaraj,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)



Crl.O.P.(MD).No.22985 of 2024

Saran,
S/o.Sekar,
No.119, Arisana Street,
Vengangudi, Mannachanallur,
Trichy District.

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Manachanallur Station,
Trichy District.
Crime No.293/2024.

... Respondent/ Complainant

For Petitioner : Mr.M.Balamurugan,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITIONS FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

COMMON PRAYER :-

For Anticipatory Bail in Crime No.293/2024 on the file of the respondent Police.

COMMON ORDER : The Court made the following common order :-

The petitioners / Accused Nos.1 and 2, who apprehend arrest at the hands of the respondent Police for the offences under Sections 296 (b), 115(2), 118(1) and 351(3) of BNS, 2023 in Crime No.293 of 2024 on the file of the respondent Police, seek anticipatory bail.



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2. The case of the prosecution is that the accused persons demanded money from the defacto complainant for consuming alcohol and at that point of time, there was a wordy quarrel between the parties and the accused persons are said to have abused the defacto complainant in filthy language and attacked him and 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 manner in which this incident had taken place and considering the fact that the injured has been discharged and taking note of the fact that there are no previous cases against the petitioners, 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



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date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Trichy, 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 every Friday at 10.30 a.m. for a period of four weeks and thereafter, 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 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/-
08/01/2025

/ TRUE COPY /

/01/2025
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.III,
TRICHY.
- 2 DO- THROUGH- THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE,
MANACHANALLUR STATION,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to S.VEERAPANDISELVARAJ Advocate SR.No.244, dated 08.01.2025

COMMON ORDER IN
CRL OP(MD) Nos.22960 & 22985 of 2024
Date :08/01/2025

ES/SKN/SAR /31.01.2025/ 5P/6C

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