



CRL OP(MD). No.22968 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1. Muniyandi
2. Muneeswaran
3. Thangam

....Petitioners / Accused Nos.1, 4 &5

Vs

The State of Tamil Nadu
Represented by the Sub-Inspector of Police,
Aviyoor Police Station,
Virudhunagar District.
(Crime No.187 of 2024)

... Respondent/Complainant

For Petitioners : Mr.M.Jothi Basu
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. 187 of 2024 on the file of the respondent police.

<https://www.mhc.tn.gov.in/judis>



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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 191(2), 191(3), 296(b), 118(1), 351(3) of Bharathiya Nyaya Sanhita, 2023 read with Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 1998, in Crime No.187 of 2024 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 accused persons and the defacto complainant, due to which, the accused persons are said to have attacked the defacto complainant and his wife using wooden log and stick. There are totally five accused persons in this case and the petitioners are arrayed as A1, A4 and A5.

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 the incident had taken place and also taking note of the fact that the injured has been discharged from the hospital and there are no



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previous cases pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 District Munsif Cum Judicial Magistrate, Kariyapatti, Virudhunagar District 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 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 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.

sd/-
02/01/2025

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/01/2025

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

sma



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1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KARIYAPATTI, VIRUDHUNAGAR DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
3. THE SUB-INSPECTOR OF POLICE,
AVIYOOR POLICE STATION,
VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-33[I] dated 03/01/2025)

ORDER
IN
CRL OP(MD) No.22968 of 2024
Date :02/01/2025

RK/GSV (09/01/2025) 5P / 6C

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