



CRL OP(MD). No.22981 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.22981 of 2024

1.Gunasekaran @ Gunasekara Pandiyan

2.S.Prabhakaran

3.I.Uthirakumar

4.Muniyasamy

... Petitioners/

Accused 1, 2, 4 & 5

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Mudukulathur (L&O) Police Station,
Ramanathapuram District.
(Crime No.298 of 2024)

... Respondent/Complainant

For Petitioners: Mr.P.Balamurugan,
Advocate

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



CRL OP(MD). No.22981 of 2024

WEB COPY

For Intervenor : Mr.R.Balamuruganandan,
Advocate

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

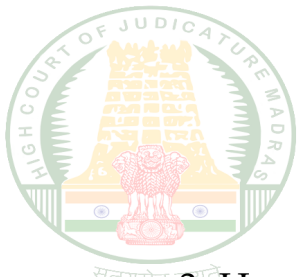
PRAYER :-

For Anticipatory Bail in Crime No. 298 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 189(2), 118(1), 351(3), 303(2) of BNS (Old 143, 324, 506(ii) and 379 of IPC), in Crime No.298 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the husband of the defacto complainant and brother had gone to participate in a public auction at Municipality office for the weekly market. At that time, the accused persons attacked the defacto complainant's husband and brother with wooden log and hands, as a result of which, both of them sustained serious injuries. That apart, 15 sovereigns of gold was also stolen. There are totally 6 accused persons in this case and the petitioners have been arrayed as A1, A2, A4 and A5.



CRL OP(MD). No.22981 of 2024

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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 fact that for the same incident, 2 FIRs were registered and one FIR was based on the complaint given by the defacto complainant and other FIR in Crime No.297 of 2024 based on the complaint given by the official where the defacto complainant's husband and the brother were also made as accused and considering the fact that all the accused persons in that case were granted anticipatory bail by this Court in Crl.OP(MD).No.22923 of 2024 by an order dated 27.12.2024 and considering the fact that the injured has been discharged from the hospital in this case and taking note of the previous cases against A1 and A2, 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 Judicial Magistrate, Mudukulathur, Ramanathapuram 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



CRL OP(MD). No.22981 of 2024

to the satisfaction of the respondent police or the police officer who intends to arrest
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or to the satisfaction of the learned Magistrate concerned, failing which, the petition
for anticipatory bail shall stand dismissed and on further condition that:

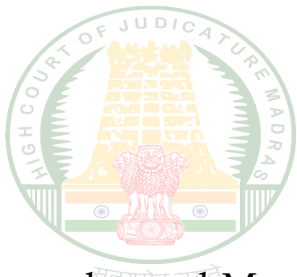
[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioners shall appear before the respondent Police as and when required.

[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 law as if the conditions have been imposed and the petitioners released on bail by the



CRL OP(MD). No.22981 of 2024

learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court
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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/-
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/01/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pal

TO

1. THE JUDICIAL MAGISTRATE, MUDUKULATHUR,
RAMANATHAPURAM DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
3. THE INSPECTOR OF POLICE,
MUDUKULATHUR (L&O) POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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CRL OP(MD). No.22981 of 2024

ORDER

IN

CRL OP(MD) No.22981 of 2024

Date :10/01/2025

RK/SKN (29/01/2025) 6P / 5C

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