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Crl.O.P.No.30950 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 30950 of 2024

M Siva And Others

Petitioner(s)

Vs

State Rep By

The Inspector Of Police, Magudanchavadi Police
Station, Salem District Crime No.265 Of 2024

Respondent(s)

For Petitioner(s):

Sasikumar R
R.Sasikumar
M.D.Ilayaraja
V.Manimaran
B.Sasikala
V.Sangavi
Y.Akashmathew

For Respondent(s):

Public Prosecutor

ORDER

Apprehending arrest in connection with Crime No.265 of 2024 registered for the offences punishable under Sections 447, 427, 506(II), 467 & 392 IPC, the present petition has been filed by the petitioners seeking anticipatory bail.



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2. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seek indulgence of this Court. He further submits that A1 was arrested and enlarged on bail and that the two previous cases against the petitioners have been quashed. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as put forth by the learned Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that due to a property dispute, A1 along with the petitioners came to the place of defacto complainant, where he was constructing a house, threatened him to stop the said work and broke three surveillance cameras and took away the hard disk of the same. He would submit that there are two previous cases against the petitioners.

4. Having heard the learned counsel for the petitioners and the learned Advocate (Crl. Side) for the respondent Police and perused the materials



available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, they 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 of receipt of a copy of this order, before the learned **Judicial Magistrate-II, Sankari**, on condition that the petitioners shall execute separate 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 everyday at 06.30 p.m. until further orders.

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



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Anu

[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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

12.12.2024

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To

1. The Inspector Of Police,
Magudanchavadi Police Station, Salem District

2. The Judicial Magistrate-II, Sankari



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