



CRL OP(MD). No.8142 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8142 of 2024

S.Sundararajan Gnanasekar,

... Petitioner/ Accused (Single)

Vs

The Inspector of Police,
Manur Police Station,
Tirunelveli District.
(Crime No. 410 of 2024).

... Respondent/Complainant

For Petitioner : Mr.ANAND R.,
Advocate.

For Respondent : Mr.M.SAKTHI KUMAR,
Government Advocate (Crl.Side)

PRAYER :- For Anticipatory Bail in Crime No.410/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police in connection with the case in Crime No.410 of 2024 for the offence under Sections 294(b), 427 and 506 (ii) I.P.C., has filed this petition, seeking anticipatory bail.

2. The case of the prosecution is that due to property dispute, the petitioner abused the defacto complainant by using filthy language, demolished the staircase of



CRL OP(MD). No.8142 of 2024

the building and also threatened with dire consequences.

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3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submits that the petitioner and the defacto complainant are brothers and the investigation is pending.

5. The dispute is between the brothers. The petitioner has filed a suit for partition, in which, the subject property has been allotted to him. However, the defacto complainant attempted to put up some construction and therefore, the petitioner has also filed a suit in O.S.No.15 of 2009 before the I Additional District Judge, Tirunelveli and got an order of injunction. As against the same, the defacto complainant has preferred an appeal before this Court, wherein he has given an undertaking that he will not put up any construction. Against the same and violating the undertaking given before this Court, the defacto complainant appears to have constructed a staircase, which was objected by the petitioner and the stair case demolished by the petitioner.

5. Considering the facts and circumstances of the case and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner.



CRL OP(MD). No.8142 of 2024

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6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned learned Judicial Magistrate, on condition that

(i) the petitioner executes a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Tirunelveli;

(ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

(iii) The petitioner shall appear before the respondent police as and when required by the respondent police. He has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
05/06/2024

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/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.8142 of 2024

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TO

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1 THE JUDICIAL MAGISTRATE NO.V,
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
MANUR POLICE STATION,
TIRUNELVELI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.8142 of 2024

Date :05/06/2024

SA/GS/SAR. /13.06.2024/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.