



CRL OP(MD). No.10029 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 08/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

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1. Manikandan

2. K.Kannan

3. A.Mahesh

4. C.Rameshkumar

5. Vinilkumar

6. Rajeshwaran

7. T. Ravichandran

... Petitioners/ Accused No.1 to 7

Vs.

The Inspector of Police,
Colachel Police Station,
Kanyakumari District.
(Crime No.69/2024.)

... Respondent/Complainant

For Petitioners : M/s.Velavadhas.H, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :- For Anticipatory Bail in Crime No.69/2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 452, 427 IPC and Section 4 of TNPHW Act, in Cr.No.69 of 2024, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute between the parties, the petitioners said to have trespassed into the house of the defacto complainant and attacked her and abused her in filthy language and also damaged the door. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that totally seven accused and the petitioners are arrayed as A1 to A7 and the civil dispute is pending. However, the investigation is pending. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the



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fact that there was a civil dispute pending, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Eraniel, Kanyakumari District, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 daily at 10.30 am for a period of two 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



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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]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
08/07/2024

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/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

To

- 1.The Judicial Magistrate,
Eraniel, Kanyakumari District.
- 2.Do through the Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.
- 3.The Inspector of Police,
Colachel Police Station,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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ORDER
IN
CRL OP(MD) No.10029 of 2024
Date :08/07/2024

ED/ JGB /SAR- (19/07/2024) 5P / 5C

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