



CRL OP(MD). No.10095 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/07/2024

PRESENT

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

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Paramasivan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Manur Police Station,
Tirunelvelil District.
Crime No.485/2024

... Respondent/Complainant

For Petitioner : M/s.S.P.Veerapandi, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.485/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 447 of IPC and Section 3 of TN Public Property (Prevention of Damage & Loss) Act, 1992, in Crime No.485 of 2024, seeks anticipatory bail.



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2.The case of the prosecution is that the petitioner is the legal holder of the lands comprised in S.Nos.438/2, 439/2, 447/4, 449/2, 540/2, 451/3, 452/3, 453/3 at Tenkalam Village, Tirunelveli District, which is belong to the Arulmigu Nelaiyappar Arultharum Kanthimathi Amman Tirukovil, Tirunelveli City for a period of 5 years. On 05.03.2024, the petitioner is said to have caused damage to the above said land and erect to the pools without any permission. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. However, he would further submit that the petitioner shall abide any condition imposed by this Court. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner damaged the EP Wires worth about Rs.10,000/-. The petitioner is having 3 previous cases. Among them, 2 cases are disposed of and 1 case is still pending. Further, the investigation is in preliminary stage. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

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

6.Accordingly, the petitioner shall pay a sum of Rs.5,000/- (Rupees Five



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Thousand only) to the credit of Indian Association for the Blind, Alagar Kovil Road, Sundararajanpatti, Madurai, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate No.V, Tirunelveli.

7.On production of such receipt, 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 learned Judicial Magistrate No.V, Tirunelveli, on condition that the petitioner 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 learned Magistrate concerned and on further conditions that:

(a) the petitioner 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 petitioner shall report before the respondent police daily at 10.30 for a period of two weeks and thereafter, as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-
09/07/2024

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

dss
TO

1 THE JUDICIAL MAGISTRATE NO.V TIRUNELVELI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

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

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

COPY TO

THE OFFICER INCHARGE, INDIAN ASSOCIATION FOR THE BLIND,
ALAGAR KOVIL ROAD, SUNDARARAJANPATTI, MADURAI.



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+1 CC to M/s.P.VEERAPANDI, Advocate (SR-7773[I] dated 11/07/2024)

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ORDER

IN

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Date :09/07/2024

RS/JGB/SAR-(19.07.2024) 5P 7C

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