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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.10275 of 2024

1. Kannan

2. Selvam @ Chellam

... Petitioners/ Accused Nos.2 & 5

Vs

The Inspector of Police,
Thirumanagalam Taluk Police Station,
Madurai District.
Cr.No.119/2024.

... Respondent/ Complainant

For Petitioners : M/s.Mahendrapathy.S,
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. 119/2024 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 406, 420, 465, 468, 471,

294(b) and 506(i) IPC in Crime No.119 of 2024, seek anticipatory bail.

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2.The case of the prosecution is that the petitioners herein have entered into the peaceful possession of the defacto complainant and threatened him with dire consequences. Hence, the case.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations that the petitioners are only purchasers and that their documents since have been cancelled and the defacto complainant and his brother themselves are now dealing with the property and considering the arguments of the learned counsel for the petitioners that they will file an affidavit of undertaking before the trial court and that they will not claim any manner of right, title or interest in the in respect of the complaint mentioned property, I am inclined to enlarge the petitioner on anticipatory bail.

5.Accordingly, the petitioners are ordered to be released on bail in the event of their 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, Thirumangalam, Madurai 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

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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 file an affidavit of undertaking before the trial Court that they will not claim any right, title or interest with reference to this complaint mentioned property.

(c) 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;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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]*; and;



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

sd/-
09/08/2024

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/08/2024

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

TRP
TO

1 THE JUDICIAL MAGISTRATE,
TIRUMANGALAM, MADURAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
THIRUMANAGALAM TALUK POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.S.MAHENDRAPATHY, Advocate (SR-9762[I] dated 09/08/2024)



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ORDER
IN

CRL OP(MD) No.10275 of 2024

Date :09/08/2024

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