



CRL OP(MD). No.10842 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2024

PRESENT

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

CRL OP(MD). No.10842 of 2024

Pradeep,

... Petitioner/ Accused No1

Vs

**The Sub Inspector of Police,
Bodinayakkanur Rural Police Station
Theni District.
Cr No.204/2024..**

... Respondent/Complainant

For Petitioner : K.Anandan,Advocate.

For Respondent : Mr.K.Sanjay Gandhi,

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 BNS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime no.204/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent



CRL OP(MD). No.10842 of 2024

police for the offences punishable under Sections 294(b), 436, 506(ii) IPC and Section 4 (b) of Explosives Substances Act, 1908 in Cr.No.204 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that due to the property dispute, the petitioner herein has thrown the glass bottles on the window of the defacto complainant's house and also abused him in filthy language. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4.The learned Government Advocate(Crl.Side) would submit that there was a property dispute between family members and the petitioners herein is having five previous cases and the investigation of the case is pending.

5.Considering the facts and circumstances of the case and also considering the fact that there was a property dispute between the parties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



CRL OP(MD). No.10842 of 2024

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Bodi, Theni District, 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 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 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 am until further orders;

(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;



CRL OP(MD). No.10842 of 2024

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(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial 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/-
19/07/2024

/ TRUE COPY /

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

TRP

TO

- 1 THE JUDICIAL MAGISTRATE,
BODI, THENI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
BODINAYAKKANUR RURAL POLICE STATION
THENI DISTRICT.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.10842 of 2024

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

ORDER
IN
CRL OP(MD) No.10842 of 2024
Date :19/07/2024

PKP/VR/SAR /31.07.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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