



CRL OP(MD)No.10923 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 22.07.2024

PRESENT

The Hon`ble MR.JUSTICE AA.NAKKIRAN

CRL OP(MD)No.10923 of 2024

Selvakumar

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
Cr.No.317 of 2024

... Respondent/Complainant

For Petitioner : Mr.K.Suyambulinga Bharathi, Advocate
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate(Crl.side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.317 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 296(b), 329(4), 351(3) BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act and Section 3 of TNPPDL Act in Cr.No.317 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was a property dispute between the parties, due to which, the petitioner and other accused have abused the defacto complainant and her family members in filthy language and also threatened them



CRL OP(MD)No.10923 of 2024

with dire consequences. Hence, the case.

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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. He further submits that this Court already granted anticipatory bail to the co-accused and accordingly, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate(Crl.side) for the respondent submits that the investigation is yet to be completed.

5.Considering the facts and circumstances of this case and also considering that this Court already granted anticipatory bail to the co-accused, this Court is inclined to grant anticipatory bail to the petitioner.

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 Judicial Magistrate Court No.III, Tirunelveli on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand) 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



CRL OP(MD)No.10923 of 2024

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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 respondent police daily at 10.00 am., for a period of two weeks and thereafter, as and when required;

(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 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/-
22/07/2024

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/07/2024

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

gns



CRL OP(MD)No.10923 of 2024

TO

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1 THE JUDICIAL MAGISTRATE NO.III, TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

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

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

+1 CC to M/s.K.SUYAMBULINGA BHARATHI, Advocate (SR-8297[I] dated
22/07/2024)

ORDER

IN

CRL OP(MD) No.10923 of 2024

Date :22/07/2024

RS/VR/SAR-(31.07.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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