



CRL OP(MD). No.11917 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/07/2024

PRESENT

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

CRL OP(MD). No.11917 of 2024

1. Theiventhiran

2. Saravanakumar

3. Ramakrishnan,

... Petitioners/ Accused No.1 to 3

Vs

The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No 324 of 2024).

... Respondent/Complainant

For Petitioner : Mr.S. Sivaprakash,
Advocate.

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

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

PRAYER :- For Anticipatory Bail in Crime No 324 of 2024 on the file of the
Respondent Police



CRL OP(MD). No.11917 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 329(4), 324(2), 118(1), 115(2) and 351 (3) BNS, 2023, in crime No.324 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to civil dispute between the parties, the petitioners said to have abused the de-facto complainant in filthy language and also assaulted him with wooden log and iron rod and also cutting the trees from the garden of the defacto complainant. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He would further submit that the first petitioner is aged about 78 years. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Counsel would submit that no one sustained injury in this crime and the petitioners are not having any previous case. However, the investigation is still pending. Hence, he strongly opposed to grant anticipatory bail to



CRL OP(MD). No.11917 of 2024

the petitioners.

WEB COPY

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

6.Accordingly, the petitioners are ordered to be released on bail in the event of their 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, Manamadurai, Sivagangai 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 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 first petitioner shall report before the respondent police as and when required for interrogation and the petitioners 2 and 3 shall report before the



CRL OP(MD). No.11917 of 2024

respondent police daily at 10.30 am for a period of three 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 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
29/07/2024

/ TRUE COPY /

/08/2024
Sub-Assistant Registrar (CS-I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

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



CRL OP(MD). No.11917 of 2024

TO
WEB COPY

1. THE JUDICIAL MAGISTRATE, MANAMADURAI, SIVAGANGAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.
- 3.THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.SIVA PRAKASH, Advocate (SR-8833[I] dated 29/07/2024)

ORDER
IN

CRL OP(MD) No.11917 of 2024

Date :29/07/2024

RK/VR(14/08/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023