



CRL OP(MD). No.12717 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 05/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12717 of 2024

1. Rajagopal

2. Vijayaragavan

3. Kanagaraj

4. Kamalakannan

5. Rajeshwaran

... Petitioners/ Accused No.1, 3 to 6

Vs

The Inspector of Police,
Thirupalai Police Station,
Madurai District.
(Crime No.629/2024).

... Respondent

For Petitioners : M/s.B.Bhuvaneshvari, 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.629/2024 on the file of the Respondent Police.



CRL OP(MD). No.12717 of 2024

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ORDER : The Court made the following order :-

The petitioners/ A1 and A3 to A6, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b), 441, 447, 468, 339, 350, 120(B) and 506(2) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.629 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had tried to grab the defacto complainant's property, creating a forged power deed in the name of Indrani for the Amsavalli. When the same was questioned by the defacto complainant, the accused abused the defacto complainant and her family members in filthy language and also threatened them with dire consequence. In this regard, there is civil suit pending between the parties. Hence, the case.

3. Heard the learned counsel on either side and perused the material records of the case.

4. On a perusal of the allegation made in the First Information Report, the defacto complainant has stated that eventhough the petitioners herein did not get the complainant's property by way of sale, they are falsely claiming that the defacto complainant's property as their own and are threatening them.



CRL OP(MD). No.12717 of 2024

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5.As a matter of fact, the learned counsel appearing on behalf of the petitioners submits that a civil suit in O.S.No.14 of 2024 is also pending between the parties.

6.Considering all the above, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions.

7.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.5, Madurai, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 report before the respondent Police as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



CRL OP(MD). No.12717 of 2024

[d] the petitioners shall not abscond either during investigation or trial.

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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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A BNS.

sd/-
05/08/2024

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

SJI

To

1.The Judicial Magistrate No.V,
Madurai.

2.Do through the Chief Judicial Magistrate,
Madurai District.



CRL OP(MD). No.12717 of 2024

3.The Inspector of Police,
Thirupalai Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.GOPAL, Advocate (SR-9487[I] dated 06/08/2024)

ORDER
IN
CRL OP(MD) No.12717 of 2024
Date :05/08/2024

ED/ GS /SAR- (19/08/2024) 5P / 6C

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