



CRL OP(MD). No.12873 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12873 of 2024

1. Agesda @ Agusta,

2. Anburaj,

3. Viji,

4. Andal,

... Petitioners/ Accused Nos.2to5

Vs

The Inspector of Police,
Thoothukudi Central Police Station,
Thoothukudi District,
Crime No.169/2024.

... Respondent/Complainant

For Petitioners : Mr.Vishnuvardhan S,
Advocate.

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

For Intervener : Mr.S.M.Anantha Murugan,
Advocate.



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PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

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PRAYER :-

For Anticipatory Bail in Crime No.169/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/ A1 to A5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 329(3), 126(2), 296(b) and 51(3) of BNS, 2023, in Crime No.169 of 2022, seek anticipatory bail.

2.The case of the prosecution is that there is civil dispute between the parties. On 11.07.2024, when the defacto complainant tried to enter into his land with JCB for cleaning and fencing the land, the petitioners said to have abused the defacto complainant in filthy language and tried to assault him and threatened him with dire consequences. Hence, the complaint.

3.Heard both sides.

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



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5. 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 No.II, Thoothukudi, 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 petitioners shall report before the 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;



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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]*; and;

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

sd/-
07/08/2024

/ TRUE COPY /

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

DSS

TO

1 THE JUDICIAL MAGISTRATE NO.II THOOTHUKUDI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.



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- 3 THE INSPECTOR OF POLICE
THOOTHUKUDI CENTRAL POLICE STATION,
THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12873 of 2024
Date :07/08/2024

SS/JGB/SAR- /20/08/2024/5P/5C

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