



CRL OP(MD). No.13439 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Govindaraj,

2. Kannathasan,

3. Muthuselvam,

... Petitioners/ Accused No.1 TO 3

Vs

The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District,
Crime No.251/2024.

... Respondent/Complainant

For Petitioners : Mr.S.Balasubramanian,
Advocate.

For Intervenor : Mr.D. Balamurugapandi

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No.251/2024 on the file of the respondent police



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ORDER : The Court made the following order :-

The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 49, 189(2), 329(3), 296(b), 118(2), 324(4) and 351(3) in Crime No.251 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to property dispute, the petitioners herein have attacked the de facto complainant and also abused him in filthy language. Hence, the case.

3. Heard the learned counsel for the petitioners and the learned counsel for the intervenor and the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

4. The learned counsel for the intervener would submit that already a civil suit is pending between the parties and all these petitioners are rowdy elements are entering into the property and are disturbing the peaceful possession of the intervener. He would further submit that all these rowdy elements have entered into the suit property and are squatting over there and are consuming liquor and



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interfering with the possession. If that be so, by furnishing a copy of the present FIR, it will be open for the intervener to move an application for interim injunction in the pending suit also.

5. As far as the present case is concerned, considering the nature of allegations and considering the fact that the injured was discharged from the hospital, I am inclined to enlarge the petitioners on anticipatory bail.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on 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.I, Ramanathapuram, 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 to the Police Officer, who intends to arrest or 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;



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(b)the petitioners shall report before the respondent police daily at 10.30 am for a period of two 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/-
16/08/2024

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

TRP



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TO

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1 THE JUDICIAL MAGISTRATE NO.I
RAMANATHAPURAM.

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

3 THE INSPECTOR OF POLICE
BAZAAR POLICE STATION, RAMANATHAPURAM DISTRICT

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

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-10024[I] dated
16/08/2024)

ORDER
IN

CRL OP(MD) No.13439 of 2024
Date :16/08/2024

SS/VR/SAR- /27/08/2024/5P/6C

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