



CRL OP(MD). No.13981 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1.Kombaiah
2.Manikandan

... petitioners/ Accused No.1 & 2

Vs.

The Inspector of Police,
Palayamkottai Police Station
Tirunelveli,
Tirunelveli District.
(Crime No.472/2024)

... Respondent/Complainant

For petitioner : Mr.P.M.Vishnuvarthanan
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate(Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :- For Anticipatory bail in Crime No.472 of 2024 on the file of the respondent police.

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 296(b), 324(2), 351(3) BNS and 4 of



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TNPHW Act, in crime No.472 of 2024 on the file of the respondent police, seek
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anticipatory bail.

2.The case of the prosecution is that the petitioners threatened the de-facto complainant with dire consequences and also damaged the public properties. Hence, the respondent police registered a case against the petitioners.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.Heard the learned Government Advocate(Crl.sdie) appearing for the State.

5.Considering the nature of the allegations that claiming right in the property, the petitioner is said to have shown iron rod and arruval and threatened the defacto-complainant and also damaged the electrical wire and fencing and considering the argument of the petitioner that the petitioner has a share in the property and they will file an affidavit that they will claim the share only by due process of law, by approaching the appropriate forum, I am inclined to enlarge the petitioners on anticipatory bail.



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6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, on executing 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 Judicial Magistrate No.I, Tirunelveli.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioners shall file an affidavit of undertaking as indicated above before the respondent police. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(iii)the petitioners shall not tamper with evidence or witness;

iv)the petitioners shall not abscond during trial.

v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance



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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].

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

sd/-
27/08/2024

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/09/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

NS

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
TIRUNELVELI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI,
TIRUNELVELI DISTRICT.



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

+1 CC to M/s.PM.VISHUVARTHANAN, Advocate (SR-10510[I] dated
28/08/2024)

ORDER
IN
CRL OP(MD) No.13981 of 2024
Date :27/08/2024

SS/SG/SAR- /05/09/2024/5P/6C

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