



CRL OP(MD). No.14514 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Muniasamy,
2. Vennimalai,
3. Bharathi Raja @ Parasa,
4. Murugesan,
5. Madasamy @ Madesh, ... Petitioners/ Accused 1 to 5

Vs

The State of Tamilnadu,
Rep. by its Inspector of Police,
Muthaiapuram Police Station,
Thoothukudi District.
Crime No.256 of 2024. ... Respondent/Complainant

For Petitioner : Mr.G.Radhakrishnan,
Advocate.
For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :- For Anticipatory Bail in Crime No.256 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 3(5), 296(b), 351(3) and 324(4) of BNS in Crime No.256 of 2024, seek anticipatory bail.

2. The case of the prosecution is that due to previous dispute, the petitioners herein abused the defacto complainant and also damaged the name board in the temple. Hence, the case.

3. Heard the learned counsel for the petitioners and the learned Government Advocate appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations arising out of a temple dispute, the petitioners attacked the defacto complainant and also caused damage to the board, I am inclined to enlarge the petitioners on bail. However, since the offence under TNPPDL Act is also involved, without prejudice to their rights in the case, each of the petitioners shall deposit a sum of Rs.1000/- to the credit of the crime number also.

5. 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



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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 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;

(b) the petitioners shall deposit a sum of Rs.1,000/- (Rupees One Thousand only) each to the credit of Crime No.256 of 2024, before the Court concerned, without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(c) the petitioners shall report before the respondent police daily at 10.30 am for a period of one week and thereafter, as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial



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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;

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

6. The learned counsel for petitioners represents that the correct name of the third petitioner as per the records as well as the KYC documents is Bharathi Raja and it is wrongly mentioned as Parvati Raja. Therefore, the name of the third petitioner shall stand corrected as Bharathi Raja @ Parasa

sd/-
02/09/2024

/ TRUE COPY /

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

TRP
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,
MUTHAIAPURAM POLICE STATION, THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.G.RADHAKRISHNAN, Advocate (SR-10766[I] dated 03/09/2024)

ORDER
IN
CRL OP(MD) No.14514 of 2024
Date :02/09/2024

SA/SG/SAR. /20.09.2024/5P/6C

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