



CRL OP(MD). No.15133 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15133 of 2024

Vinayagam

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.
Crime No. 711/2024.

... Respondent/Complainant

For Petitioner : K.M.Karunakaran,
Advocate.

For Respondent : Mr.A.Albert Janms,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 711 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A1, who apprehends arrest at the hands of the respondent police

for the offences punishable under Sections 189(2), 351(2), 329(3), 126(2), 296(b), 140(3)



CRL OP(MD). No.15133 of 2024

and 62 of BNS, 2023(BNS), in Cr.No.711 of 2024, seeks anticipatory bail.

WEB COPY

2.The case of the prosecution is that the defacto complainant approached the petitioner's company for house construction and an agreement was also made between them. But, the petitioner used substandard materials for the construction. The defacto complainant hired another builder for completion of work. Due to which, the petitioner trespassed into the house of the defacto complainant and abused him in filthy language and threatened him with dire consequences. Further, he tried to kidnap the defacto complainant. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations that the dispute arose due to the construction agreement and the petitioner without completing the work, also objecting to the completion, which is attempted by the defacto complainant through the third parties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.3, Thanjavur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent



CRL OP(MD). No.15133 of 2024

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 petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m, for a period of three weeks and thereafter, as and when required for interrogation;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court



CRL OP(MD). No.15133 of 2024

in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

WEB COPY

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

sd/-

09/09/2024

/ TRUE COPY /

/09/2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.3,
THANJAVUR.

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

3 THE INSPECTOR OF POLICE,
AYYAMPETTAI POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-11091[I] dated 10/09/2024)



WEB COPY



CRL OP(MD). No.15133 of 2024

ORDER
IN

CRL OP(MD) No.15133 of 2024

Date : 09/09/2024

BV/SAR- /20/09/2024/5P/6C

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