



CRL OP(MD). No.15904 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15904 of 2024

*** Vaikundam @ Vasanth**

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
Crime No. 409/2024.

... Respondent/ Complainant

For Petitioner : M/s. Gunasekara Pandiyan .K, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 409 of 2024 on the file of the Respondent police.



CRL OP(MD). No.15904 of 2024

WLB COPY
ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(B), 109(1), 351(3) BNS and 25(1A) ARMS Act, 1959 in Crime.No.409 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that due to land dispute, the petitioner herein and other accused have attacked the de facto complainant and also abused him in filthy language. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations and that the occurrence happened on account of land dispute and considering the fact that the petitioner does not have any other bad antecedents, I am inclined to enlarge the petitioner on anticipatory bail 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.III,



CRL OP(MD). No.15904 of 2024

WEB COPY

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



CRL OP(MD). No.15904 of 2024

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

sd/-
23/09/2024

(*) Corrected as per order the Court
dated 24.10.2024 in CRL MP(MD)
No.11371 of 2024 in CRL OP(MD)
No.15904 of 2024)

Time is extended by one week from the
date of receipt of a copy of this order.

/ TRUE COPY /

/11/2024

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

TRP

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 23.09.2024 ALREADY
DESPATCHED

1. The Judicial Magistrate No.III, Thirunelveli, Thirunelveli District,
2. Do-Through The Chief Judicial Magistrate,
Thirunelveli District.
- 3.The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



CRL OP(MD). No.15904 of 2024

+1 CC to M/s.K.GUNASEKARA PANDIYAN, Advocate (SR-11548[I] dated 23/09/2024)

ORDER

IN

CRL OP(MD) No.15904 of 2024

Date :23/09/2024

RK/MMS (10/10/2024) 5P / 6C

ED/ /SAR- (04/11/2024) 5P / 6C

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