



CRL OP(MD). No.16970 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16970 of 2024

1. Vairaven,

2. Suganthi,

3. Vanasundari @ Sundari,

4. Eanjammal Alies Injammal

... Petitioners/ Accused Nos.1 to 4

Vs

State of Tamli Nadu,
Rep. by the Inspector of Police,
Seithur Rural Police Station,
Virudhunagar District
(Crime No. 105 of 2024).

... Respondent/Complainant

For Petitioners : Mr.S.Pandiyaraj,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS



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PRAYER :-

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For Anticipatory Bail in Crime No.105 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 329(4), 323(4), 296(b) and 351(3) BNS 2023 r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.105 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute between the parties, on 31.08.2024, at about 10.30 A.M., the petitioners scolded the defacto complainant by using filthy language and demolished the wall of the defacto complainant and also gave her life threat.

3. Heard. Perused the materials available on record including the First Information Report.

4. Considering the nature of allegations that the occurrence arose on account of civil dispute between the parties whether the wall belonged to the petitioners or the defacto complainant and also considering the fact that the petitioners claimed that



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they are the owners of the wall, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions:

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Rajapalayam, Virudhunagar District, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 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.



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[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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
04/10/2024

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/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG



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TO
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- 1 THE JUDICIAL MAGISTRATE,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
SEITHUR RURAL POLICE STAION, VIRUDHUNAGAR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.YESU SUBANANTH, Advocate (SR-12301[I] dated 07/10/2024)

ORDER
IN
CRL OP(MD) No.16970 of 2024
Date :04/10/2024

SS/MMS/SAR- /23/10/2024/ 5P/6C

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