



CRL OP(MD). No.17637 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17637 of 2024

1. Tamilselvi

2. Govindarasu

... Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thiruchitrambalam Police Station,
Thanjavur District.
(Crime No.225 of 2024.)

... Respondent/Complainant

For Petitioners : Mr.Susikumar C, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.225 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 & 2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2) and 351(2) of BNS 2023 r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.225 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to land dispute arose between the petitioners and the defacto complainant, the petitioners herein abused the defacto complainant by using filthy language and threatened him with dire consequences. Hence, the complaint.

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

4. The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

5. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the injured has been discharged from the hospital.



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6. Considering the fact that it is a case and counter and also considering the fact that it is a land dispute, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions:

7. 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, Peravurani, Thanjavur 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 two weeks and thereafter, as and when required for interrogation.

(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.



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[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/-
17/10/2024

/ TRUE COPY /

/11/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

To

1.The Judicial Magistrate,
Peravurani, Thanjavur District.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Thiruchitrambalam Police Station,
Thanjavur District.



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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Cour, Madurai.

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-12715[I] dated 18/10/2024)

ORDER
IN
CRL OP(MD) No.17637 of 2024
Date :17/10/2024

ED/ MMS /SAR- (14/11/2024) 5P / 6C

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