



CRL OP(MD). No.17916 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17916 of 2024

Annamalai

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Manikandam Police Station,
Trichy District.
(Crime No. 133/2024.)

... Respondent/Complainant

For Petitioner : M/s.T. J. Ebinezar Charles, 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.133 of 2024 on the file of the Respondent police.



CRL OP(MD). No.17916 of 2024

ORDER: The Court made the following order :-

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The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 351(3) of BNS u/s 4 of Prohibition of Harassment of Women Act, 2002 and u/s 25(1B)(a) of Arms Act, 1959, in Cr.No.133 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the other accused are said to have trespassed into the land of the defacto complainant and demanded commission for making plots. When the same was refused by the defacto complainant, they abused him in filthy language and threatened him with aruval. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegation that it is alleged that the petitioner, who belongs to the local area, threatened the defacto complainant, who is supposed to be the owner of the land, to give him rowdy mamool for developing it as a layout, and further considering the argument of the learned counsel for the petitioner that the entire original documents in respect of the said lands are with the petitioner, which is entrusted to him with reference to a different transaction, and considering the fact that it is only a land dispute, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



CRL OP(MD). No.17916 of 2024

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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 Additional Mahila Court, Trichy, 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 a.m, for a period of two 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



CRL OP(MD). No.17916 of 2024

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

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(f)if the accused thereafter absconds, a fresh FIR can be registered under

Section 229-A IPC.

sd/-
23/10/2024

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

DSS

To

1.The Judge,
Additional Mahila Court, Trichy.

2.The Inspector of Police,
Manikandam Police Station,
Trichy District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.J.EBENEZER CHARLES, Advocate (SR-13013[I] dated
24/10/2024)

ORDER
IN
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Date :23/10/2024



CRL OP(MD). No.17916 of 2024

ED/ SKN /SAR- (06/11/2024) 5P / 5 C

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