



CRL OP(MD)No.17617 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Selvam
2. Jeyanthi
3. Murugalakshmi
4. Rathika

... Petitioners/ Accused No.1 to 4

Vs

The Inspector of Police,
Kadalkudi Police Station,
Thoothukudi District.
(Crime No.40 of 2024)

... Respondent/Complainant

For Petitioners : Mr.Jerin Mathew, Advocate.

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

For Intervenor : Mr.Syed Abdul Hameed, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.40 of 2024 on the file of the
Respondent police.



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ORDER: The Court made the following order :-

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The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 115(2), 118(1) and 351(3) of BNS and Section 4 of TNPHW Act, 2002, in Crime No.40 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to land dispute between the parties, the petitioners have abused the defacto complainant in filthy language and also assaulted her and caused injury. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.The learned Counsel appearing for the Intervenor oppose for grant of bail and submitted that the petitioners have attacked the defacto complainant and caused injury.

5.Considering the fact that it is a case and counter and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial



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Magistrate, Vilathikulam, Thoothukudi 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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



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Supreme 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/-
22/10/2024

/ TRUE COPY /

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

JBR

To

1.The Judicial Magistrate,
Vilathikulam,
Thoothukudi District.

2.Do through the Chief Judicial Magistrate,
Thoothukudi District.

3.The Inspector of Police,
Kadalkudi Police Station,
Thoothukudi District.

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

+1 CC to M/s.M.JERIN MATHEW, Advocate (SR-12919[I] dated 22/10/2024)



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ORDER

IN

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Date :22/10/2024

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

Madurai Bench of Madras High Court is issuing certified copies in this format from
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