



CRL OP(MD). No.17905 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Thavidan @ Kali
2. Lakshmi
- 3.Sudalaikannu @ Sugash
- 4.Raja @ Rajaperumal

... Petitioners/ Accused Nos.2to5

Vs

The State of Tamil Nadu rep by,
The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
(Crime No.460 of 2024).

... Respondent/Complainant

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.460 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A2 to A5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 131, 324(2) & 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.460 of 2024, seek anticipatory bail.



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2. The case of the prosecution is that A1 engaged a servant for making agricultural activities in the land of the daughter of the defacto complainant. When the same was questioned by the defacto complainant, all the accused are said to have abused to defacto complainant and his daughter in filthy language and attacked them with sticks and snatched a gold chain of his daughter. Hence, the complaint.

3. Heard both sides.

4. Considering the nature of the occurrence which arises on account of a land dispute between the members of the same family, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of their 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 Magistrate, Nanguneri, 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 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 1 & 2 shall report before the respondent police daily at 10.30



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am for a period of three weeks and the petitioners 3 & 4 shall report before the respondent police daily at 06.30 p.m for a period of three 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;

(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]; and;

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

sd/-
19/10/2024

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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



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TO

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1 THE JUDICIAL MAGISTRATE
NANGUNERI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to D.VENKATESH Advocate SR.No.12795(I) dated 21/10/2024

ORDER
IN

CRL OP(MD) No.17905 of 2024

Date :19/10/2024

PSP/ VR /SAR /21.11.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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