



CRL OP(MD)No.18701 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.18701 of 2024

1. Palaniayappan
2. Ganesan
3. Subramanian

... Petitioners/ A-1,2 & 6

Vs

The Inspector of Police,
Panayappatti Police Station,
Pudukkottai District.
Crime No.33 of 2023

... Respondent/ Complainant

For Petitioners : Mr.M.J.Ameer Hussain,
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.33 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 427, 506(i) of IPC in Crime No.33 of 2023, seek anticipatory bail.



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2.The case of the prosecution is that due to property dispute between the parties, the petitioners along with other accused persons trespassed into the property of the defacto complainant and threatened him. Hence, the complaint.

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

4.In this case the petitioners are enlarged on anticipatory bail in the year 2023. The petitioner ought to have executed the surety and surrendered before the trial Court. However, only considering the fact that the respondent also did not take any action and considering the progress of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.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 District Munsif cum Judicial Magistrate Court, Thirumayam, 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



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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. 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 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/-
29/10/2024

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

jbr

TO

1. The District Munsif cum Judicial Magistrate,
Thirumayam.
2. Do through
The Chief Judicial Magistrate,
Pudukkottai
3. The Inspector of Police,
Panayappatti Police Station,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER
IN
CRL OP(MD) No.18701 of 2024
Date : 29.10.2024

SL(23.11.2024)/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.