



CRL OP(MD). No.18604 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 28/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18604 of 2024

Muthiah

... Petitioner/ Accused (Single)

Vs

The State of Tamil Nadu Rep By,  
The Sub-Inspector of Police,  
Manoor Police Station,  
Tirunelveli District.  
(Cr.No.633/2024).

... Respondent/ Complainant

For Petitioner : M/s.V.Kannan,  
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.633 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 3(1) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, in Crime.No.633 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein is said to have encroached the Government Poramboke land and prevented the works under Mahatma Gandhi National Rural Employment Scheme. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations is that the petitioner claimed to be an encroacher but however he has got an order that he should be removed as per due process of law after the disposal of the appeal and in between by employing the Mahatma Gandhi National Rural Employees the place was sought to be levelled and



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the petitioner is said to have been objected and interfered with the said function with this tractor, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

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 learned Judicial Magistrate No.V, Thirunelveli 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 am for a period of two weeks and thereafter, as and when required for interrogation;



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

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

sd/-  
28/10/2024

/ TRUE COPY /

/11/2024

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

TRP

<https://www.mhc.tn.gov.in/judis>



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TO  
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1. The Judicial Magistrate No.V, Thirunelveli
2. Do-Through  
The Chief Judicial Magistrate,  
Thirunelveli District.
3. The Sub-Inspector of Police,  
Manoor Police Station,  
Tirunelveli District.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.V.KANNAN,ADVOCATE IN SR No.61327(F) DATED 29/10/2024

ORDER  
IN  
CRL OP(MD) No.18604 of 2024  
Date : 28/10/2024

SS/GSV/SAR- (22.11.2024) 5P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.