



CRL OP(MD). No.18816 of 2024

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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.18816 of 2024

Sannasi,

... Petitioner/Sole Accused

Vs

State of Tamil Nadu,
The Inspector of Police,
Thenkarai Police Station,
Theni District.
Crime No.465 of 2024.

... Respondent/Complainant

For Petitioner : Mr.Vishnu J,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.465 of 2024 on the file of the respondent Police
ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial
custody on 18.10.2024 for the offences under Sections 296(b), 329(3), 126(2), 351(3) of

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



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BNS r/w 3(1) of TNPPDL Act, in Crime No.465 of 2024, on the file of the respondent
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police, seeks bail.

2.The defacto complainant is working as a Headmaster. The petitioner has frequently quarreled with the defacto complainant that the petitioner's place is up to the entrance gate of the school. In this situation, on 17.10.2024, at about 05.30 p.m., the petitioner damaged the gate lock and blocked the pathway of the entrance. When the same was questioned by the defacto complainant, the petitioner abused him in filthy language and threatened him with dire consequences.

3.Heard. Perused the materials available on record including the First Information Report.

4.Considered the nature of allegations in this case that the petitioner is said to have interfered with the school by claiming that the place leading to the gate and inside the gate comes within the boundary of his property and he is also said to have threatened the Headmaster and damaged the school property. Though the offence is serious, only considering the undertaking given by the learned counsel for the petitioner, that without prejudice to his rights and contentions in the criminal case, he will also file an affidavit that henceforth, the petitioner will not interfere with the gate or other pathway of the school and if only the petitioner has any claim, he will approach the civil Court in the manner known to law. In view thereof, the petitioner



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is enlarged on bail, subject to the following conditions:

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[a] Accordingly, the petitioner is ordered to be released on bail on condition to 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 learned Judicial Magistrate Court, Periyakulam, Theni District, and on further conditions that:

[b] 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.

[c] While executing sureties, the petitioner shall file an affidavit before the trial Court that without prejudice to his rights and contentions, he will not in any manner interfere with the gate or pathway with reference to the school, and that even if he has any claim, he will file only civil suit in the manner known to law.

[d] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period two weeks and thereafter, as and when required for interrogation.

[e] the petitioner shall not commit any offences of similar nature.

[f] the petitioner shall not abscond either during investigation or trial.

[g] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[h] On breach of any of the aforesaid conditions, the learned Judicial



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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].

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
29/10/2024

/ TRUE COPY /

30/10/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO

1 THE JUDICIAL MAGISTRATE,
PERIYAKULAM, THENI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

3 THE OFFICER INCHARGE,
PERIYAKULAM SUB JAIL, THENI DISTRICT.

4 THE INSPECTOR OF POLICE,
THENKARAI POLICE STATION,
THENI DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.18816 of 2024
Date :29/10/2024

SA/SAR. /30.10.2024/5P/6C

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