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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.18794 of 2024

Ramesh Alias Rameshkumar

... Petitioner/ Accused No.5

Vs

The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.
Crime No.349 of 2024

... Respondent/Complainant

For Petitioner : Mr.K.Prabhu
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.349 of 2024 on the file of the Respondent police.



ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 120B, 427, 294(b), 447 and 506 (ii) of IPC, in Crime No.349 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that due to previous motive with regard to a land dispute, the petitioners are said to have trespassed into the defacto complainant's land and damaged the notice board and also threatened him. Hence, the complaint.

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

4. Considering the nature of allegation in this case that on account of land dispute, the petitioners are said to have trespassed into the land belonging to the defacto complainant and damaged the notice board and also threatened the defacto complainant, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of his 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.II, Kodaikanal, on condition that the petitioner shall execute a bond for a sum of



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 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 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/-
29/10/2024

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

TO

1 THE JUDICIAL MAGISTRATE NO.II,
KODAIKANAL

2 DO THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.



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

+1 CC to M/s.K.PRABHU, Advocate (SR-13408[I] dated 29/10/2024)

ORDER
IN
CRL OP(MD) No.18794 of 2024
Date :29/10/2024

MGJ(25.11.2024) 5P 6C

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