



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.18871 of 2024

1. Bathirakali,

2. P.Vasumalai,

3. Kumaravel,

... Petitioners/ Accused No.1, 2, 3

Vs

The State of Tamil Nadu,
Rep by The Inspector of Police,
Thenkarai Police Station,
Periyakulam,
Theni District
Cr.No.473/2024..`

... Respondent/Complainant

For Petitioner : Manavalan K,
Advocate.

For Respondent : Mr.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



For Anticipatory Bail in Crime No.473/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 296(b), 329(3), 324(4), 351(2) BNS in Crime No.473 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute between the petitioners and the de-facto complainant, on 18.10.2024 at about 04.00 p.m., the accused entered into the de-facto complainant's land with his tractor, following which, the accused 1 and 2 threatened him with dire consequences. Hence, the case was registered.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and a false case has been foisted against them.

4. Heard the learned Additional Public Prosecutor(Cri.Side) appearing for the respondent.

5. Considering the nature of allegation that on account of civil dispute the petitioners trespassed into the de-facto complainant's land and damaged the



fencing, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6. Accordingly, the Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of their arrest or their appearance, on executing 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 Judicial Magistrate, Periyakulam;

[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 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.

[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].



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

sd/-
29/10/2024
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/ /2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

NS

TO

- 1.The Judicial Magistrate,
Periyakulam.
- 2.Do Through
The Chief Judicial Magistrate,
Theni.
- 3.The Inspector of Police,
Thenkarai Police Station,
Periyakulam,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.18871 of 2024
Date :29/10/2024

KVL/23.11.2024 4P/5C

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

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