



CRL OP(MD). No.19454 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/11/2024

PRESENT

The Hon`ble Mr.Justice **N.ANAND VENKATESH**

CRL OP(MD). No.19454 of 2024

1. Selva Lakshmi

2. Selva Balaji

3. Solaiyammal @Sollaiyammal

... Petitioners/ Accused No.2 to 4

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
Crime No. 608/2024.

... Respondent/Complainant

For Petitioner : M/s. Dinesh.K, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



CRL OP(MD). No.19454 of 2024

PRAYER :-
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For Anticipatory Bail in Crime No. 608 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 296(b), 118(1) and 351(3) of BNS (hereinafter referred to as new penal code) in Crime No.608 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a land dispute between the parties. On 31.10.2024, the accused persons are said to have abused the defacto complainant in filthy language and had assaulted him. There are totally four accused persons in this case and the petitioners have been arrayed as A2 to A4.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent police.

4. Taking into consideration the facts and circumstances of the case and the manner, in which, the incident had taken place and considering the fact that the



CRL OP(MD). No.19454 of 2024

petitioners don't have any bad antecedent and the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is ordered and the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their 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, Sivakasi**, 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] 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.

[c] the petitioners shall report before the respondent police as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;



CRL OP(MD). No.19454 of 2024

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[e] the petitioners shall not abscond either during investigation or trial;

[f] 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;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/11/2024

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/11/2024

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

LR

TO

1. THE JUDICIAL MAGISTRATE NO.II, SIVAKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3. THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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



CRL OP(MD). No.19454 of 2024

WEB COPY +1 CC to M/s.K.DINESH, Advocate (SR-13941[I] dated 13/11/2024)

ORDER
IN
CRL OP(MD) No.19454 of 2024
Date :12/11/2024

SS/SKN/SAR- (16/12/2024) 5P / 6C

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