



CRL OP(MD). No.20077 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 20/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20077 of 2024

1. Gowri,
2. Kavitha,

... Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Kalakkad Police Station,
Tirunelveli District.
Crime No.719 of 2024..

... Respondent/ Complainant

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.719/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners /accused Nos.1 and 2, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 329 (3) and 324(2) of BNS r/w. 3(1) of the Tamil Nadu Public Property (Prevention of Damage And Loss)

Act, 1992 in Crime No.719 of 2024, on the file of the respondent police, seek

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



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anticipatory bail.

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2. The case of the prosecution is that the petitioners have illegally trespassed into the property belonged to the defacto complainant and they had put up a car shed. They had also abused the defacto complainant in filthy language and threatened him with dire consequences. They had also caused damage to the property.

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

4. Taking into consideration the facts and circumstances of the case and considering the fact that there is a property dispute involved in this case and there are no previous cases pending against these petitioners, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

6. Accordingly, 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, Nanguneri, on condition that the petitioner 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



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of fifteen days, this order shall stand automatically cancelled.

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[b] the petitioners shall report before the respondent police 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 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 269 of BNS, 2023.

sd/-
20/11/2024

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/ 12 / 2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO



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1 THE JUDICIAL MAGISTRATE
NANGUNERI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

3 THE INSPECTOR OF POLICE,
KALAKKAD POLICE STATION, TIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.20077 of 2024
Date :20/11/2024

PSP/ GSV /SAR /03.12.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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