



CRL OP(MD). No.20183 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20183 of 2024

and

CRL MP(MD). No.12590 of 2024

Muthuputhiyavan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Pavoorchatram Police Station,
Tenkasi District.
(Crime No. 394 of 2024).

... Respondent/Complainant

Ram Saravana Srinivasan @ Saravanan

... Petitioner/Intervenor/Defacto Complainant

In CRL MP(MD).12590/2024 in CRL OP(MD).20183/2024

For Petitioner : M/s.A.Benitto, Advocate

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

For Intervenor : Mr.D.Rajaboopathy, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.394 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 296(b), 324(4), 326(g) and 351(3) BNS (hereinafter



CRL OP(MD). No.20183 of 2024

referred to as new penal code) in Crime No.394 of 2024 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the defacto complainant was one of the witness in a suit in O.S.No.485 of 2017, which is pending on the file of the Sub Court, Tenkasi. It is alleged that the petitioner had threatened the defacto complainant not to stand as a witness in the case. In spite of the threat, the defacto complainant had tendered his evidence and enraged by the same, on 28.10.2024, the petitioner is said to have caused damage to the car belonging to the defacto complainant to the tune of Rs.25,000/-.

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

4.It is seen that there is a civil dispute, in which, the defacto complainant is a witness. It is alleged that the defacto complainant was threatened not to stand as a witness in the civil case. As a result, the car came to be damaged.

5.Taking into consideration the facts and circumstances of the case and the manner, in which, this incident had taken place, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered. Consequently, the connected miscellaneous petition is closed. The petitioner is ordered to be released on anticipatory bail in the event of arrest or on his



CRL OP(MD). No.20183 of 2024

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appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tenkasi, on condition that the petitioner shall 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 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 petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] 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.

[c] the petitioner shall report before the respondent police every Monday and Friday at 05.30 p.m for a period of six weeks and thereafter, as and when required for interrogation.

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

[e] the petitioner 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 petitioner in accordance with



CRL OP(MD). No.20183 of 2024

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;

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

[h] the petitioner shall deposit a sum of Rs.15,000/- in the account of Crime No.394 of 2024, before the learned Judicial Magistrate, Tenkasi.

sd/-
21/11/2024

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

LR
TO

1 THE JUDICIAL MAGISTRATE, TENKASI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, PAVOORCHATRAM POLICE STATION,
TENKASI DISTRICT.

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

+1 CC to M/s.S.MOORTHY, Advocate (SR-14378[I] dated 21/11/2024)



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CRL OP(MD). No.20183 of 2024

ORDER

IN

CRL OP(MD) No.20183 of 2024

Date :21/11/2024

RS//SAR-(23.11.2024) 5P 6C

Madurai Bench of Madras High Court is issuing
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