



CRL OP(MD). No.20702 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20702 of 2024

R.Seenivasan,

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu,
Rep. by the Sub Inspector of Police,
Palanichettypatti Police Station,
Theni.
(Crime No. 445 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.Karthik R,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 445 of 2024 on the file of the Respondent police.



CRL OP(MD). No.20702 of 2024

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ORDER : The Court made the following order :-

The petitioner / Accused No.4, who apprehends arrest at the hands of the respondent Police for the offence under Sections 420, 465, 467, 468, 471 and 120(B) of IPC in Crime No.445 of 2024, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons were restricting the defacto complainant from using the pathway which was under use for a very long time. A civil suit was also instituted, at which point of time, a document was produced as if licence was given exclusively in favour of the accused persons. Later, it came to light that this document is a fabricated document. There are totally 4 accused persons in this case and the petitioner has been arrayed as Accused No.4.

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

4. Taking into consideration the facts and circumstances of the case and considering the fact that there was a civil dispute between the parties and the



CRL OP(MD). No.20702 of 2024

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document that was relied upon by the accused persons is now alleged to be a fabricated document and this document was already relied upon before the competent civil court and no custodial interrogation may be required in this case and also considering the fact that this Court has already granted anticipatory bail to Accused Nos.1 and 2 in Crl.O.P.(MD).No.19624 of 2024, by an order dated 22.11.2024, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Theni, 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 fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police as and when required for interrogation;



CRL OP(MD). No.20702 of 2024

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[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 269 of BNS 2023.

sd/-
27/11/2024

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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

1 THE JUDICIAL MAGISTRATE
THENI.



CRL OP(MD). No.20702 of 2024

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3 THE SUB INSPECTOR OF POLICE,
PALANICHETTYPATTI POLICE STATION,
THENI

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

ORDER

IN

CRL OP(MD) No.20702 of 2024

Date :27/11/2024

SS/VR/SAR- /05/12/2024/ 5P/5C

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