



CRL OP(MD). No.20749 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20749 of 2024

Pandiselvam

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
The Inspector of Police,
Balamedu Police Station,
In Crime No.244/2024,
Madurai District.

... Respondent/Complainant

For Petitioner : Mr.K.Sathish Kumar

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.244/2024 on the file of the respondent Police.



CRL OP(MD). No.20749 of 2024

WLB COPY
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 406, 420 and 506(i) IPC in Crime No.244 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the subject property was purchased from the common funds in the name of the petitioner with a clear understanding that after the purchase, the petitioner will give the respective share of the four sisters. However, the petitioner after purchasing the property in his name, refused to give the shares and when he was questioned, he threatened the defacto complainant.

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

4. Taking into consideration of the facts and circumstances of the case and considering the fact that there is a civil dispute involved in this case and already a suit is pending in O.S.No.529 of 2023 before the Principal District Munsif Court, Madurai, this Court is inclined to grant anticipatory bail to the petitioner.



CRL OP(MD). No.20749 of 2024

WEB COPY

5. Accordingly, this criminal original petition is ordered and 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, Vadipatti*, 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 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;



CRL OP(MD). No.20749 of 2024

[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 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 269 of BNS Act.

sd/-
28/11/2024

/ TRUE COPY /

/12/2024

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

PNM

TO

1 THE JUDICIAL MAGISTRATE
VADIPATTI.

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

3 THE INSPECTOR OF POLICE,
BALAMEDU POLICE STATION,
MADURAI DISTRICT.



CRL OP(MD). No.20749 of 2024

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

+1 CC to M/s.K.SATHISH KUMAR, Advocate (SR-14649[I] dated 28/11/2024)

ORDER
IN
CRL OP(MD) No.20749 of 2024
Date :28/11/2024

SS/VR/SAR- /04/12/2024/ 5P/6C

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