



CRL OP(MD). No.20745 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20745 of 2024

Manikandan

... Petitioner

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Mallanginar Police Station,
Virudhunagar District.
(Crime No.234 of 2024)

... Respondent/Complainant

For Petitioner : Mr.N.Mariappan, Advocate

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

For Intervenor : Mr.P.Ramnath, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :- For Anticipatory Bail in Crime No. 234 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioner, who apprehends arrest at the hands of the respondent police for



CRL OP(MD). No.20745 of 2024

the alleged offences under Sections 296(b), 324(4) and 351(3) of BNS, in Crime No.234 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 and the petitioner were taking care of agricultural lands belonging to some other persons. There was a constant quarrel between both these persons. On the date of occurrence, the defacto complainant had cut the produce and it was kept in the land of the accused persons. The accused thought that the defacto complainant has cut the produce from his lands and hence, the defacto complainant was threatened and was attacked and was abused in filthy language. That apart, the accused person also damaged the banana trees and also the motor.

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 the manner in which this incident had taken place and also considering the fact that there is one previous case against the petitioner and the petitioner has also caused damage to the banana trees and the motor situated in the land of defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which



CRL OP(MD). No.20745 of 2024

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the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Kariyapatti, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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.

[b] the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No.234 of 2024 before the learned District Munsif cum Judicial Magistrate, Kariyapatti, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties. Only upon deposit, the petitioner shall be enlarged on anticipatory bail.

[c] the petitioner shall report before the respondent police on every Monday, Wednesday and Friday at 05.30 p.m. for a period of 6 weeks and thereafter, as and when required.

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



CRL OP(MD). No.20745 of 2024

investigation or trial.

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[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 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

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.

PAL
TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KARIYAPATTI.

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

3 THE INSPECTOR OF POLICE,
MALLANGINAR POLICE STATION,
VIRUDHUNAGAR DISTRICT.



CRL OP(MD). No.20745 of 2024

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

+1 CC to M/s.P.RAMNATH, Advocate (SR-14651[I] dated 28/11/2024)

+1 CC to M/s.N.MARIAPPAN, Advocate (SR-14775[I] dated 02/12/2024)

ORDER
IN
CRL OP(MD) No.20745 of 2024
Date :28/11/2024

SA/SKN/SAR. /09.12.2024/5P/7C

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