



CRL OP(MD). No.21239 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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1. Alagarraja

2. Senthil Kumar

3. Prabha

4. Kowsalya

5. Natarajan

6. Jamunarani

... Petitioners/ Accused 2 to 7

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Chinnamanur Police Station,
Theni District.
Crime No.456 of 2024.

... Respondent/Complainant

For Petitioner : Mr.K.Neethimohan, Advocate

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



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WEB COPY PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime no.456 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 191(2), 296(b), 115(2), 351(2) of BNS r/w Section 4 of TNPHW Act in Crime No.456 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A6 and A7 are in-laws of the defacto complainant. The allegations made is that the husband of the defacto complainant is working at Singapore and he used to send money to A6. A6 is said to have purchased the property and built a house with that money and executed a settlement deed in favour of the defacto complainant's husband, who is none other than the son of A6 and A7.

3.The grievance of the defacto complainant is that the petitioners restrained the defacto complainant from entering into the property and an attempt was made to grab the property. There are totally 7 accused persons in this case and the petitioners have been arrayed as A2 to A7.

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



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5. Taking into consideration of the facts and circumstances of the case and considering the fact that the case in hand is in the nature of property dispute, this Court is inclined to grant to grant anticipatory bail to the petitioners.

6. Accordingly, this criminal original petition is ordered and 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, Uthamapalayam, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two common sureties 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 of fifteen days, this order shall stand automatically cancelled.

[b] the petitioners 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 petitioners shall report before the respondent police as



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and when required for interrogation.

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

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
04/12/2024

/ 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,
UTHAMAPALAYAM.

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



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2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE,
CHINNAMANUR POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.K.NEETHIMOHAN, Advocate (SR-14949[I] dated 05/12/2024)

ORDER
IN
CRL OP(MD) No.21239 of 2024
Date :04/12/2024

SA/SKN/SAR. /11.12.2024/5P/6C

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