



CRL OP(MD). No.21234 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. Joneraj

2. Inbaraj Ganesan

... Petitioners/ Accused No.1 and 2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Panagudi Police Station,
Tirunelveli District.
Crime No. 882/2024..

... Respondent/Complainant

For Petitioner : Mr.KA.Raamakrishnan, Advocate

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

For Intervenor : Mr.S.Selvakumar, Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 882 of 2024 on the file of the Respondent



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ORDER: The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 126(2), 296(b), 115(2), 118(1), 303(2), 351 (3) of BNS Act and Section 3 of TNPPDL Act in Crime No.882 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the accused persons are neighbours. On 01.11.2024 the accused persons are said to have entered into the property of the defacto complainant and abused in filthy language and also attacked the defacto complainant and caused injuries. That apart, they caused damages to the Car and took away the gold chain and bracelet and also took away cash, that was available in the Dashboard of the Car. There are totally three accused persons in this case and petitioners are arrayed as A1 and A2.

3.The learned Government Advocate (Crl.Side) submitted that both the petitioners had four previous cases against them and as on today, there are no pending cases. He further submitted that the injured has been discharged from the hospital.

4.The learned counsel for the petitioner submitted that the property dispute has been given a criminal colour and false case has been foisted against the petitioners.



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5.The learned counsel for the defacto complainant submitted that there are previous cases against the petitioners and even on an earlier occasion, they attacked the wife of the defacto complainant, which resulted in an enquiry conducted by the Police. That apart, during the present incident, the Car was damaged and gold chain and bracelet were taken away and a sum of Rs.50,000/- was also taken away from the Dashboard.

6.Heard the learned counsel appearing for the petitioner, the learned counsel for the defacto complainant and the learned Government Advocate (Crl.Side) appearing for the respondent.

7.Taking into consideration of the facts and circumstances of the case and considering the nature of allegations made against the petitioners and considering the fact that the petitioners and the defacto complainant are neighbours and taking note of previous cases against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

8.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, Valliyoor, Tirunelveli District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees



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Ten Thousand only) each with two 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 daily at 10.30 a.m., for a period of three weeks, thereafter, as 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;



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

sd/-
04/12/2024

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/ 12 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1 THE JUDICIAL MAGISTRATE
VALLIYOOR, TIRUNELVELI DISTRICT.

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

3 THE INSPECTOR OF POLICE,
PANAGUDI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.KA.RAAMAKRISHNAN, Advocate (SR-14957[I] dated 05/12/2024)

ORDER
IN
CRL OP(MD) No.21234 of 2024
Date :04/12/2024



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PSP/ VR /SAR /09.12.2024/ 6P/ 6C

Madurai Bench of Madras High Court is issuing certified
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