



CRL OP(MD). No.21384 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21384 of 2024

1. Seenithai Alias Chithra ...Petitioner/1st Accused

2. N. Vanumamalai ... Petitioners/2nd Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
(Crime No. 554/2024).

... Respondent/Complainant

For Petitioners : Mr.S. Rajesh Kanna, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 554 of 2024 on the file of the respondent Police.



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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 296(b), 132, 131, 351(2) BNS Act in Crime No.554 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is an Executive Office of the Town Panchayat. He went for inspection to see if sufficient drinking water is available in the 11th Ward. At that point of time, the first petitioner, Ward Counsellor and the second petitioner, husband of first petitioner abused the defacto complainant in filthy language, threatened with dire consequences and prevented him from carrying on with his official duty.

3. Heard the learned counsel appearing for the petitioners 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 manner in which, the incident had taken place, this Court is inclined to grant to grant anticipatory bail to the petitioners.



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5. 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, Nanguneri, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 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 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;



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[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/-
06/12/2024

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

PNM

TO

1. The Judicial Magistrate, Nanguneri,
2. Do-Through The Chief Judicial Magistrate,
Thirunelveli District.
3. The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.



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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to MR.RAJESH KANNA, Advocate SR No.71550(f) dated 06.12.2024

ORDER
IN
CRL OP(MD) No.21384 of 2024
Date :06/12/2024

RK/GSV (16/12/2024) 5P / 6C

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