



CRL OP(MD). No.21813 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21813 of 2024

1. Deva @ Devendiran
2. Sekar @ Rajasekar
3. Sundhar Raju

... Petitioners/ Accused Rank Nos.4 to 6

Vs

The Inspector of Police,
Koomapatty Police Station,
Virudhunagar District.
(Crime No.57 of 2024).

... Respondent/Complainant

For Petitioner : Mr.D.Rajaboopathy, Advocate
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.57 of 2024 on the file of the respondent Police.

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 147, 448, 379 and 506(i) IPC in Crime No. 57 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a civil dispute between the parties and the accused persons are said to have trespassed into the land belonging to the defacto complainant and had taken away coconut worth of Rs.1,50,000/-. They also threatened the agent of the defacto complainant and her watchman with dire consequences. There are totally eight named accused persons in this case and the petitioners have been arrayed as A4 to A6.

3. Earlier these petitioners along with A2 and A3 filed anticipatory bail petition in CrI.O.P(MD)No.9843 of 2024 and anticipatory bail was granted by an order, dated 04.07.2024. After the anticipatory bail was granted, only A2 and A3 surrendered before the Court and executed sureties and the other accused persons did not surrender. Later, a relaxation petition came to be filed in CrI.M.P(MD)no.8965 of 2024 by A2 to A6. The condition was also relaxed by order, dated 13.08.2024. At that time, it was not brought to the notice of this Court that the petitioners (A4 to A6) did not even surrender before the Court and execute sureties.

4. The petitioners, who are A4 to A6 have now filed a fresh anticipatory bail petition before this Court.



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5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent police.

6. Taking into consideration the facts and circumstances of the case and considering the nature of dispute between the parties and also taking note of the earlier order passed by this Court in Crl.O.P(MD)No.8965 of 2024, this Court is inclined to grant anticipatory bail to the petitioners. 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 No.I, Srivilliputtur, Viruthunagar District, 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.



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[c] the petitioners shall report before the respondent police daily at 10.30 a.m for a period of two weeks and 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;

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

7.The earlier order passed in CrI.M.P(MD)No.8965 of 2024 in CrI.O.P(MD) No.9843 of 2024, dated 13.08.2024 is recalled insofar as the petitioners (A4 to A6) are concerned.

sd/-
11/12/2024

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



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TO

1 THE JUDICIAL MAGISTRATE NO.I, SRIVILLIPUTTUR,
VIRUDHUNAGAR DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTTUR.

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

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

+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-15247[I] dated 11/12/2024)

ORDER

IN

CRL OP(MD) No.21813 of 2024

Date :11/12/2024

RS/SKN/SAR-(24.12.2024) 5P 6C

Madurai Bench of Madras High Court is issuing
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