



CRL OP(MD). No.22067 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 13.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.22067 of 2024

1.Balamurugan

2.Saravanan @ Pasupathiraj

3.Madhumitha

... Petitioners/ Accused 1 to 3

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
K.V.Nallur Police Station,
Tenkasi District.
(Crime No.513 of 2024)

... Respondent/Complainant

For Petitioners : Mr.K.Ramar, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 513 of 2024 on the file of the respondent police.



CRL OP(MD). No.22067 of 2024

ORDER: The Court made the following order :-

WEB COPY

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 296(b), 351(2) of BNS, in Crime No.513 of 2024 on the file of the respondent police, seek anticipatory bail.

2. There was a pathway dispute between the parties. On the date of occurrence, the 1st petitioner had given a complaint against the defacto complainant to the effect that he trespassed into the property and abused him in filthy language and also intimidated him with dire consequences. As a consequence of this incident, the accused persons are said to have abused the defacto complainant in filthy language and threatened him with dire consequences.

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 considering the fact that there was a pathway dispute between the parties and 2 FIRs were registered on the same day one after the other – the 1st FIR based on the complaint given by the 1st petitioner and the 2nd FIR based on the complaint given by the defacto complainant and taking note of the previous cases against the 1st and 2nd petitioner, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CRL OP(MD). No.22067 of 2024

WEB COPY

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Sankarankovil, on condition that the petitioners 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 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.

[b] the petitioners shall appear before the respondent Police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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 petitioners released on bail by



CRL OP(MD). No.22067 of 2024

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].

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

sd/-
13/12/2024

/ 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 Judicial Magistrate,
Sankarankovil.

2.Do through the Chief Judicial Magistrate,
Tenkasi District.

3.The Inspector of Police,
K.V.Nallur Police Station,
Tenkasi District.

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

+1 CC to M/s.K.RAMAR, Advocate (SR-15386[I] dated 13/12/2024)



WEB COPY



CRL OP(MD). No.22067 of 2024

ORDER

IN

CRL OP(MD) No.22067 of 2024

Date :13/12/2024

ED/ SKN /SAR- (27/12/2024) 5P / 6C

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