



CRL OP(MD). No.22282 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.22282 of 2024

Rajan,

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Represented by the Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
(Crime No.378 of 2024).

... Respondent/Complainant

For Petitioner : Mr.Navaneetha Raja.K,
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.378 of 2024 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who apprehends arrest at the hands of the



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respondent police for the offences punishable under section 303 (2) of BNS, 2023 and Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 in Crime No.378 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant owned some agricultural lands. The accused persons are said to have damaged the fencing put up by the defacto complainant and caused loss to the tune of Rs.20,000/-. There are totally one named accused person and others and the petitioner has been arrayed as Accused No.1.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and considering the fact that there was a dispute between the parties and the accused persons are said to have damaged the fencing put up by the defacto complainant and also taking into consideration the submission of the learned counsel appearing for the intervener that this is the second occasion where such incident had taken place, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

5. Accordingly, the petitioner is ordered to be released on anticipatory bail in



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the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Thoothukudi, on condition that the petitioner 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.378 of 2024 on the file of the learned Judicial Magistrate No.III, Thoothukudi and the petitioner shall report before the respondent police every Friday at 05.30 p.m. for a period of three weeks and thereafter, as and when required for interrogation;

[c]the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d]the petitioner 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 petitioner released on bail by the



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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

sd/-
18/12/2024

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/01/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE NO.III
THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE,
PUDUKKOTTAI POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.K.NAVANEETHA RAJA, Advocate (SR-15640[I] dated 19/12/2024)



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ORDER
IN
CRL OP(MD) No.22282 of 2024
Date :18/12/2024

SA/SAR. /03.01.2025/5P/6C

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