



CRL OP(MD). No.22707 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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1. G.Balasubramanian

2. G.Muruganandham

3. G.Rajendran

4. G.Saravana Kumar

5. M.Venkatesh

6. T.Madhan

... Petitioners/ Accused Nos.1 to 6

Vs

State of Tamil Nadu, Rep By,
The Inspector of Police,
Gandharvakottai Police Station,
Pudukkottai District (Cr.No.374 of 2024).

... Respondent/Complainant For

Petitioners : M/s.M.Karunanithi, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS



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PRAYER :-

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For Anticipatory Bail in Crime No.374 of 2024 on the file of the respondent police

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 316(2), 318(2), 318(4), 338, 336(3) and 351(3) of BNS (hereinafter referred to as new penal code) in Crime No.374 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons had received all the original documents pertaining to the subject property. Subsequently, when the defacto complainant asked A1 to return the documents, she was abused in filthy language and she was threatened with dire consequences.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.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 sale agreement between the parties and there is also a suit filed for specific performance that is pending in O.S.No.257 of 2024, on the file of learned Principal District Judge, Pudukottai, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is



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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 District Magistrate cum Judicial Magistrate, Gandharvakottai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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;

[f] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial



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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.

sd/-
20/12/2024

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

LR

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
GANDHARVAKOTTAI.

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

3 THE INSPECTOR OF POLICE,
GANDHARVAKOTTAI POLICE STATION,
PUDUKKOTTAI DISTRICT

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

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ORDER
IN
CRL OP(MD) No.22707 of 2024
Date :20/12/2024

PSP/ SKN /SAR /07.01.2025/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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