



Crl.O.P.(MD) No.22901 of 2024

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

DATED : 27.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD) No.22901 of 2024

A.Kannan

... Petitioner / Accused

-VS-

The State of Tamil Nadu
rep.by the Inspector of Police
Sivanthipatti Police Station
Tirunelveli District
(Crime No.413 of 2024)

... Respondent / Complainant

PRAYER: Petition filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.413 of 2024, on the file of the respondent - Police.

For Petitioner : Mr.C.Venkatesh, Advocate

For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

ORDER

The petitioner / accused, who apprehends arrest at the hands of the respondent - Police for the offences punishable under Sections 296(b), 132, 351(3)



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I.P.C., Section 4 of TNPPDL Act and Section 4 of Women Harassment Act, in Crime

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No.413 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 03.12.2024, when the HR&CE officials along with Surveyor surveyed the temple lands and tried to lay boundary stones, the petitioner made objection for the same. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he was falsely implicated in this case. He has not committed any offence as alleged by the prosecution. In fact, the land, wherein the HR&CE tried to lay boundary stones, belongs to the petitioner and he has inherited the same from his father.

4. The learned Government Advocate (Crl. Side) appearing for the respondent – Police fairly submits that no criminal case is pending against the petitioner and nobody was injured in this case and a civil suit is pending between the parties regarding the property dispute.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences as against the petitioner and also taking into consideration the fact that there is a civil suit with regard to property dispute between the parties and nobody was injured in the occurrence and no previous case is pending against the petitioner,



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I am inclined to grant anticipatory bail to the petitioner, subject to the following

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conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 learned Judicial Magistrate No.III, Tirunelveli, and on further conditions that:

[b] the petitioner shall report before the respondent - Police, on all Saturdays at 10.00 A.M. for four weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not commit any offences of similar nature.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law



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as if the conditions have been imposed and the petitioner 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

sd/-
27/12/2024

/ TRUE COPY /

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

KRK

To

1.The Judicial Magistrate No.III,
Tirunelveli.

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

3.The Inspector of Police,
Sivanthipatti Police Station,
Tirunelveli District.

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



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ORDER
IN
CRL OP(MD) No.22901 of 2024
Date :27/12/2024

ED/SKN /SAR- (31/12/2024) 5P / 5C

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