



Crl.O.P.(MD) No.22924 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD) No.22924 of 2024

1.P.Vishnu

2.P.Prema

... Petitioners / A1 & A2

-VS-

State of Tamil Nadu
rep.by the Inspector of Police
Palanichittypatti Police Station
Theni District
(Crime No.502 of 2024)

... Respondent / Complainant

PRAYER: Petition filed under Section 482 of BNSS to grant anticipatory bail to the petitioners in the event of arrest connected with the crime No.502 of 2024, on the file of the respondent – Police.

For Petitioner : Mr.S.Ramsundar Vijayraj, Advocate

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

For Intervenor : Ms.A.Dharani, Advocate



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ORDER

(*)The petitioners / Accused Nos.1 and 2, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 296(b), 115(2), 351(2) of the BNS and Section 4 of TNPHW Act in Crime No.502 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to some personal dispute between the family members as the first petitioner had love affair with the daughter of the *de facto* complainant, the *de facto* complainant came to the house of the petitioners on 24.11.2024 and at that time, a wordy quarrel arose between them. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. They have not committed any offence as alleged by the prosecution. Hence, he prayed to grant anticipatory bail to the petitioners

4. The learned Government Advocate (Crl. Side) appearing for the respondent – Police fairly submits that due to some personal dispute between the family members as the first petitioner had love affair with the daughter of the *de facto* complainant, the



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de facto complainant came to the house of the petitioners on 24.11.2024 and at that time, a wordy quarrel arose between them. He would further submit that no criminal case is pending against the petitioners and the injured has been discharged from the hospital and it is a case and counter case and it is a matrimonial dispute. However, he strongly opposed to grant anticipatory bail to the petitioners.

5. Learned counsel appearing for the intervenor would submit that the petitioners harassed the daughter of the *de facto* complainant and therefore, opposed to grant anticipatory bail to the petitioners.

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

7. Considering the rival submissions on either side and the nature of offences charged as against the petitioner and also taking into consideration the fact that there is a matrimonial dispute between the parties and the injured has been discharged from the hospital and there is no previous case pending against the petitioners and it is a case and counter case, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on anticipatory bail on

<https://www.mhc.tn.gov.in/judis>



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condition to 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 learned Judicial Magistrate, Theni, and on further conditions that:

[b] the petitioners 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 petitioners shall not commit any offences of similar nature.

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

[e] the petitioners 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 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].



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[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 269

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B.N.S.

sd/-

27/12/2024

(*)Corrected as per the order of this Hon'ble
Court in CRL OP(MD)No.22924 of 2024 dated
23/01/2025 by NAVJ.

/ TRUE COPY /

/01/2025

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

krk

TO:

**TO BE SUBSTITUTED WITH THE ORDER DATED 27/12/2024 ALREADY
DESPATCHED.**

1.THE JUDICIAL MAGISTRATE, THENI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI.

3.THE INSPECTOR OF POLICE,
PALANICHITTYPATTI POLICE STATION, THENI DISTRICT.

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

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-668[I] dated 23/01/2025)

ORDER

IN

CRL OP(MD) No.22924 of 2024

Date :27/12/2024

RK/SKN (02/01/2025) 5P / 6C

TSG

SS/SKN (24/01/2025) 5P / 6C

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