



CRL OP(MD). No.22943 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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1.Krishnan
2.Ajith
3.Suyambu @ Suyambulingam
4.Akila
5.Rathi
6.Ambika @ Ambika Devi Velappan

... Petitioners/ Accused
Nos.12, 14, 16 & 18 to 20

Vs

The State of Tamil Nadu,
Rep., by
Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.
(Crime No.410/2024)

.. Respondent/ Complainant

For Petitioners : Mr.S.Suresh Manickam
Advocate.

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



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :- For Anticipatory Bail in Cr.No.410 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.12, 14, 16 and 18 to 20, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 118(1) and 351(3) of BNS in Crime No.410 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a dispute between the accused persons and the defacto complainant with regard to performance of pooja in the village Temple. While so, on 15.12.2024, at about 06.00 pm, the petitioners and others waylaid the defacto complainant and his friends, abused them using filthy language, attacked them and threatened them with dire consequences and caused injury. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case. They have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) submits that the accused persons waylaid the defacto complainant and his friends, abused them using filthy language, attacked them and threatened them with dire consequences and caused



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injury.³⁴ Hence, he objected to grant anticipatory bail to the petitioners. He further submitted that there is a case in counter. He also submitted that the co-accused were already released on bail and in the counter case also, the accused were released on bail.

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

6. Considering the representation made by the learned counsel on either side, the nature of offences charged against the petitioners, and that there is a dispute pending between the parties in respect of the temple and that there is a case in counter and that the co-accused were already released on bail and in the counter case also, the accused were already released on bail, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on anticipatory bail on 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 Judicial Magistrate Court No.I, Nagercoil on further conditions that:

[b] the petitioners shall report before the respondent Police on every Saturday at 10.00 A.M. for a period of four weeks and thereafter as and when required for interrogation.

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



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[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].

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

sd/-
27/12/2024

/ TRUE COPY /

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

ABR
TO
1 THE JUDICIAL MAGISTRATE NO.I,
NAGERCOIL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.



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3 THE INSPECTOR OF POLICE,
RAJAKKAMANGALAM POLICE STATION,
KANYAKUMARI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.22943 of 2024
Date :27/12/2024

SA/SKN/SAR. /02.01.2025/5P/5C

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