



CRL OP(MD). No.22999 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.K.Thangaraj
2.S.Kaleeswari

...Petitioners/ Accused Nos.1 & 2

Vs

The Inspector of Police,
Thiruvadanai Police Station,
Thiruvadanai Taluk,
Ramanathapuram District.
(Crime No.214/2024)

... Respondent/Defacto Complainant

For Petitioners : Mr.S.Athamali
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.214 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 & 2, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 325, 296(b), 329(3), 115(2), 351



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(2) of BNS, 2023 r/w Section 4 of TNPHW Act on the file of the respondent police,
seeks anticipatory bail.

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2. The case of the prosecution is that the defacto complainant is the neighbour of the petitioner. There is a civil dispute among them. On 18.12.2024 while the defacto complainant tied her cow in the disputed land, while so, quarrel arose among them. Thereafter, the petitioners altogether abused the defacto complainant and further, they attacked her with bare hands and threatened her with dire consequences and outrage her modesty. 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 and the defacto complainant and his family members attacked the petitioners, for that 1st petitioner got injured and admitted in the Government hospital. They have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) fairly submits that the defacto complainant is the neighbour of the petitioner. There is a civil dispute among them. On 18.12.2024 while the defacto complainant tied her cow in the disputed land, while so, quarrel arose among them. Thereafter, the petitioners altogether abused the defacto complainant and further, they attacked her with bare hands and threatened her with dire consequences and outrage her modesty and A1 is having one previous



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petitioners.

case and investigation is pending. Hence, he opposed to grant anticipatory bail to the

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

6. Considering the rival submissions on either side and the nature of offences charged against the petitioners, considering the fact that injured was discharged from the hospital and there is a civil dispute between the neighbours. Though the petitioner has one previous case and already bail was granted to him and considering all other facts, 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) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate Court, Thiruvadanai, and on further conditions that:

[b] the petitioners shall report before the respondent police every Saturday at 10.00 a.m. for a period of four weeks, and thereafter as and when required for the 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



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investigation or trial.

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[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

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/01/2025

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

RJR
To

1 THE JUDICIAL MAGISTRATE, THIRUVADANAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE, THIRUVADANAI POLICE STATION,
THIRUVADANAI TALUK, RAMANATHAPURAM DISTRICT.

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



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ORDER

IN

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Date :27/12/2024

RS/SKN/SAR-(02.01.2025) 5P 5C

Madurai Bench of Madras High Court is issuing
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