



CRL OP(MD). No.23043 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.Thavamani

2.Selvi Thavamani

3.Pandidurai

4.Palpandi

...Petitioners/ Accused Rank not known

Vs

The State of Tamil Nadu,
rep. By The Inspector of Police,
Thirunagar Police Station,
Madurai City.
(Crime No.396/2024)

.. Respondent/Complainant

For Petitioners : Mr.M.Maharaja, 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.396 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections (*) **296(b), 76, 351(3) of BNS, 2023, Section 67 of Information Technology Act and Section 4 of TNPHW Act**, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the accused persons are neighbours. There was a civil dispute between the parties. The accused persons abused the defacto complainant and issued a life threat to them. Further, the acts of the accused persons outrage the women's modesty. The accused persons have also taken a video from the CCTV footage. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have falsely implicated in this case and they will not hamper or tamper with the evidence and the witnesses. They have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) fairly submits that no criminal case is pending against the petitioners and there was a civil dispute the parties and CCTV camera was also damaged by the accused persons and hence, he opposed to grant anticipatory bail to the petitioners.



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

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6. Considering the rival submissions on either side and the nature of offences charged against the petitioners, and that no previous case is pending against the petitioners and there is a civil dispute between the parties and case and counter case, 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 No.VI, Madurai, 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 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

(*) Amended as per order of the Court dated 22.01.2025 in CrI.M.P(MD).No.679 of 2025 in CrI.O.P(MD).No.23043 of 2024.

Time is extended by one week from the date of receipt of a copy of this order to comply the order of this Court in CrI.O.P. (MD).No.23043 of 2024 dated 27.12.2024. It is made clear that no further extension of time will be granted.

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/02/2025

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

RJR

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TO

**(*)TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
06.01.2025**

1.THE JUDICIAL MAGISTRATE NO.VI,
MADURAI

2 DO- THROUGH -THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3.THE INSPECTOR OF POLICE,
THIRUNAGAR POLICE STATION,
MADURAI CITY.

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

ORDER

IN

CRL OP(MD) No.23043 of 2024

Date :27/12/2024

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

ES/SKN/18.02.2025/5P/5C

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