



CRL OP(MD). No.959 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Thippu @ Thippusulthan
2.Sengishkan
3.Appas @ Abbas Ali
4.Shahul @ Shahul Hameed
5.Shahulhammed
6.Kadharkani
7.Arabhu Shed @ Arabusait

... Petitioners / A1 to A7

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Samayanalur Police Station,
Madurai District.
(Crime No.6 of 2025)

... Respondent/Complainant

Sulthan Ibrahim
in CRL MP(MD)No.817 of 2025
in CRL OP(MD)No.959 of 2025

... Intervene Petitioner/Defacto Complainant

For Petitioners : Mr.G.Karuppasamy Pandian,
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate
(Criminal Side)
Ms.Roja Ramani for Intervenor



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WEB COPY PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 6 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 191(2), 191(3), 296(b), 330(1) and 351(2) of BNS, 2023 read with under Section 3 of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992, in Crime No.6 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there is a property dispute between the parties. The accused persons are said to have unlawfully entered into the shop of the defacto complainant and committed criminal trespass and they also caused damage to the shop and the side wall of the shop. The damages were to the tune of more than Rs.2 lakhs. There are totally 20 accused persons in this case and the petitioners have been arrayed as A1 to A7.

3. Heard the learned counsel on either side and perused the material records of the case.



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4. Taking into consideration the facts and circumstances of the case and considering the nature of the dispute between the parties and also taking note of the fact that there is a case and counter case pending investigation before the respondent police in Crime Nos.6 and 7 of 2025 and considering the fact that except A6, the other accused persons have one previous case against them, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Vadipatti, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their
photographs and Left Thumb Impression in the surety bond



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and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner 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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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
22/01/2025

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

PKN
TO

- 1 THE JUDICIAL MAGISTRATE
VADIPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
SAMAYANALLUR POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.959 of 2025
Date :22/01/2025

SS/SKN/SAR- /30/01/2025/ 5P/5C

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