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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

[Criminal Jurisdiction]

Date : 29.01.2025

PRESENT

THE HON`BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.1730 of 2025

S.Maridurai

... Petitioner/ Accused No.1

Vs

State of Tamil Nadu
through
The Sub-Inspector of Police,
Mallankinar Police Station,
Mallankinar,
Virudhunagar District.
(Crime No.274 of 2024)

... Respondent/Complainant

For Petitioner : Mr.L.Prabhu,
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS.

PRAYER :-

For Anticipatory Bail in Crime No.274 of 2024 on the file of the respondent police.



ORDER: The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under 329(3), 296(b) & 351(3) of BNS and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, in Crime No.274 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant and her husband owned a property. There was a dispute between the parties arising out of a lease agreement. The accused persons are said to have entered the property belonging to the de facto complainant, and when the same was questioned, the accused persons abused her in filthy language and attempted to assault her and caused threat to the de facto complainant. There are totally 2 accused persons in this case. The petitioner has been arrayed as A1. A2 has already been arrested.

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

4. Taking into consideration the facts and circumstances of the case and considering the fact that the dispute had arisen out of a lease agreement between the parties and taking note of the fact that no one was injured in this case and there are 6 previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Kariappatti, Virudhunagar District, on condition that the petitioner shall 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 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 petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police on every Friday at 10:30 a.m. for a period of 4 weeks and thereafter, as and when required for interrogation.

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

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



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[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 petitioner 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
29/01/2025

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/02/2025

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

JEN

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KARIAPPATTI,
VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3 THE SUB-INSPECTOR OF POLICE,
MALLANKINAR POLICE STATION,
MALLANKINAR,
VIRUDHUNAGAR DISTRICT.



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

+1 CC to M/s.L.PRABHU, Advocate (SR-1037[I] dated 29/01/2025)

ORDER
IN
CRL OP(MD) No.1730 of 2025
Date :29/01/2025

NBF / JEN / SAR- (07/02/2025) 5P / 6C

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