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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.02.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2518 of 2025

M.Manivasagam

... Petitioner/Sole Accused

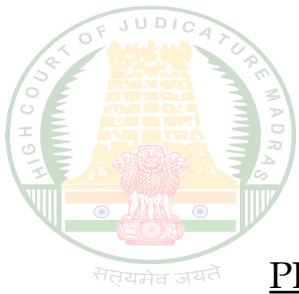
Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Kalayar Kovil Police Station,
Sivagangai District.
Crime No.60 of 2025

... Respondent/Complainant

For Petitioner : Mr.M.Vivekanandan

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)



PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

C-33AB. For Anticipatory Bail in Crime No.60 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 06.02.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant an order of pre-arrest bail.

2. The petitioner / sole accused apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 324(iv) and 351 (3) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.60 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that due to the property dispute between the petitioner and the villagers of the defacto complainant regarding a Temple, on 01.02.2025, at about 20.30 hours, the petitioner caused damage to the CCTV camera installed in front of the subject Temple and fencing that was put up around the place. Hence, the case.

4. Mr.M.Vivekanandan, learned counsel appearing for the petitioner submits that a false case has been foisted against the petitioner. The petitioner did not commit



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any offence as alleged by the prosecution. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that the petitioner damaged a CCTV camera worth about Rs.10,000/-. The petitioner has two previous cases. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. It is stated that the petitioner caused damage to the CCTV worth about Rs.10,000/- and the fencing. The petitioner has permanent residence and deep roots in the Society. Therefore, there is less possibility of absconding. Considering the above facts and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.I, Sivagangai, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate No.I,



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Sivagangai;

(ii) Thereafter, the petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m. until further orders;

(iii) The petitioner shall deposit a sum of Rs.10,000/- to the credit of the Crime No.60 of 2025 before the Judicial Magistrate No.I, Sivagangai;

(iv) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(v) The petitioner shall furnish his residence address and mobile number to the learned Judicial Magistrate No.I, Sivagangai.

(vi) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence;

(vii) On breach of any of the aforementioned conditions, concerned Magistrate, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. The learned Judicial Magistrate No.I, Sivagangai, in turn, shall deposit the



sum of Rs.10,000/- to be deposited by the petitioner, in a Nationalised Bank in a
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Fixed Deposit Account.

9. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
10/02/2025

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/02/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mbi
TO

1 THE JUDICIAL MAGISTRATE NO.I,
SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE,
KALAYAR KOVIL POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.M.VIVEKANANDAN, Advocate (SR-1579[I] dated 12/02/2025)
<https://www.mhc.tn.gov.in/judis>



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ORDER

IN

CRL OP(MD) No.2518 of 2025

Date :10/02/2025

NBF / SKN /SAR-I (19/02/2025) 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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