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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.10241 of 2022

Aarumangalam

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Sankarankovil,
Tenkasi District.
(Crime.No.7/2022)

... Respondent/Complainant

For Petitioner : M/s.Ragaventhre.S, Advocate

For Respondent : Mrs.M.Aasha,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.7 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused No.1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b), 494 and 506(i) of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002, in Crime No.7 of 2022, seeks anticipatory bail.

2.When the matter is taken up for hearing, the learned counsel on either side would submit that in the mediation process, the matter was compromised between the parties and mediation report was also produced before this Court.



3.Considering the facts and circumstances of the case and also considering the fact that the matter was compromised between the parties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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4.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 of receipt of a copy of this order, before the learned Judicial Magistrate, Sankarankovil, 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 learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before respondent police as and when required for interrogation;

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

[d]the petitioner 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 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 229-A IPC.

Sd/-
29/11/2022

/ TRUE COPY /

/12/2022
Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE JUDICIAL MAGISTRATE,
SANKARANKOVIL.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SANKARANKOVIL,
TENKASI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.RAGAVENTHRE.S Advocate SR.No.14042

ORDER
IN
CRL OP(MD) No.10241 of 2022
Date :29/11/2022

SP/SSS/SAR III/15/12/2022/3P/6C