



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 01/11/2022

PRESENT

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

CRL OP(MD) . No.19272 of 2022

Amaravathi

... Petitioner/Accused No.A2

Vs

The State Rep. By,  
The Inspector of Police,  
Rural All Women Police Station,  
Tirunelveli District.  
(Cr No.12/2022).

... Respondent/Complainant

For Petitioner : M/s. Sivabalan.K.,  
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Cr.No.12/2022 on the file of the  
respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of  
the respondent police for the offences punishable under Sections 498  
(A), 493, 495, 417 and 506(ii) IPC in Crime.No.12 of 2022, seeks  
anticipatory bail.

2. The case of the prosecution is that suppressing the 1<sup>st</sup>  
marriage of A1, the petitioner and other accused have arranged the  
marriage between the defacto complainant and the accused. Hence, the  
complaint.

3. The learned counsel for the petitioner would submit that the  
petitioner is maternal aunt of A1 and she is innocent and she has  
not committed any offence as alleged by the prosecution and her  
name has been falsely implicated in this case and seeks anticipatory  
bail.



4.The learned Government Advocate(Crl.Side) would submit that A1 already arrested and remanded to judicial custody. He would further submitted the all accused have suppressed the earlier marriage of A1 and arranged the marriage of defacto complainant and accused. He further contended that only seven witnesses were examined and the remaining witnesses are yet to be examined and strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is only maternal aunt of A1, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Tirunelveli 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 to the Police Officer, who intends to arrest or 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall appear before the respondent Police daily at 10.30 am until further orders.

(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;

(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]**; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC

sd/-

01/11/2022

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/11/2022

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



TO

1. THE JUDICIAL MAGISTRATE NO.III  
TIRUNELVELI.

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
TIRUNELVELI DISTRICT.

3. THE INSPECTOR OF POLICE,  
RURAL ALL WOMEN POLICE STATION,  
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.K.SIVABALAN, Advocate ( SR-12180[I] dated 01/11/2022 )

ORDER

IN

CRL OP(MD) No.19272 of 2022

Date :01/11/2022

trp

USK/GB/SAR-III/09.11.2022/3P/6C