



CRL OP(MD). No.17929 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/10/2023

PRESENT

The Hon`ble Mr.Justice V.SIVAGNANAM

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1. Vijayalakshmi,

2. Chellamani,

... Petitioners/ Accused 2 & 3

Vs

The Inspector of Police,
All Women Police Station, Thirumangalam,
Madurai District.
Crime No. 33 of 2022.

... Respondent/Complainant

For Petitioner : M/s.PANDIARAJAN K, 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. 33 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417, 376, 511, 294(b) and 506(i) IPC in Crime No.33 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that A1 suppressing the earlier marriage attempted to commit intercourse with the defacto complainant. When the same was informed by the defacto complainant to the accused Nos.2 and 3, they have



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threatened her with dire consequences. Hence the case.

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3.The learned counsel for the petitioners would contend that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He would further submit A2 and A3 have already been granted anticipatory bail in Crl.M.P.No.7393 of 2022. Since they have not complied with the condition imposed by the Court concerned, NBW was issued and hence, prayed for anticipatory bail.

4. The learned Government Advocate (Crl. Side) would submit that investigation in this case has already been completed and the charge sheet was filed in PRC.No.98 of 2023 on the file of the Judicial Magistrate, Thirumangalam.

5. Considering the facts and circumstances of the case and also considering the fact that the case has been charge sheeted, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

6.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, Thirumangalam, Madurai District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:



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WEB COPY [a] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

[b] the petitioners shall appear before the concerned Court on receipt of summons.

[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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/10/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TRP

TO

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1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, THIRUMANGALAM,
MADURAI DISTRICT.

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

+1 CC to M/s.K.PANDIARAJAN, Advocate (SR-14901[I] dated 10/10/2023)

ORDER IN

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Date :09/10/2023

SA/DD/SAR. /17.10.2023/4P/6C

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