



CRL OP(MD) No.2807 of 2024

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

Thursday, the Twenty Second day of February Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2807 of 2024

1 LAKSHMI

2 VASANTHI

... PETITIONERS / ACCUSED No.2 & 3

Vs

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION-TIRUNELVELI POLICE STATION,
TIRUNELVELI DISTRICT.

CRIME NO.05/2024.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.PRABHU.K Advocate

For Respondent : Mr.S.MANIKANDAN, Govt. Advocate (Crl. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.05/2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/A2 & A3, who apprehend arrest at the hands of the
respondent police for the alleged offence under Sections 417, 376, 294(b) and 506(ii)
of IPC in Cr.No.05 of 2024, seek anticipatory bail.



CRL OP(MD) No.2807 of 2024

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2.The case of the prosecution is that the first petitioner is the mother of A1 and the second petitioner is the sister of A1. A1 had physical relationship with the defacto complainant by giving false promise to marry her. Later, he refused to marry her. In the meantime, the petitioners abused the defacto complainant in filthy language and threatened her with dire consequences. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and if the first accused is willing to marry the defacto complainant, the petitioners will not stand on the way of their marriage. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) submitted that the petitioners prevented the first accused to perform marriage with the defacto complainant and hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the fact that all those allegations are only against A1 and no serious allegation was



CRL OP(MD) No.2807 of 2024

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made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, this Criminal Original Petition is ordered and 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 of receipt of a copy of this order, before the learned Judicial Magistrate Court No.V, Tirunelveli, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;



CRL OP(MD) No.2807 of 2024

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(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners 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]*; and;

(g)if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/02/2024

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/02/2024

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

SJI

TO

1 THE JUDICIAL MAGISTRATE NO.V
TIRUNELVELI.



CRL OP(MD) No.2807 of 2024

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI.

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

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

+1 CC to M/s.K.PRABHU, Advocate (SR-2253[I] dated 22/02/2024)

ORDER
IN

CRL OP(MD) No.2807 of 2024

Date :22/02/2024

SS/VR/SAR- /28/02/2024/5P/6C

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