



CRL OP(MD). No.4306 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/07/2024

PRESENT

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

CRL OP(MD). No.4306 of 2024

1.T.Sivashanmuga Vignesh,

2.Thangapandi,

3.Uma Murugeshwari,

... Petitioners No.1 to 3/
Accused No. 1 to 3

Vs

The Inspector of Police,
All Women Police Station,
Nilakkottai,
Dindigul District.
Crime No.2/2024.

... Respondent/Complainant

For Petitioner : M/s.Mari Chelliah Prabhu.C.M, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 2 of 2024 on the file of the respondent Police.
<https://www.mhc.tn.gov.in/judis>



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ORDER : The Court made the following order :-

The petitioners/1 to 3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b), 323, and 506(i) IPC r/w Section 4 of Women Harassment Act and Section 4 of Dowry Prohibition Act in Cr.No.2 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioner/A1 is the husband of the defacto complainant and the petitioners 2 and 3/A2 and A3 are the parents of the first petitioner. Due to the matrimonial dispute, the defacto complainant lodged a complaint against the petitioners. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He would further submit that the first petitioner has filed the Hindu Marriage Original Petition before the Family Court for restitution of conjugal rights. However, he seeks permission of this Court to withdraw this petition in respect of the first petitioner/A1 alone. Hence, he prays for grant of anticipatory bail to the petitioners 2 and 3/A2 and A3.

4. The learned Government Advocate (criminal side) appearing for the respondent police has strongly opposed to grant anticipatory bail to the petitioners 2

and 3.

<https://www.mhc.tn.gov.in/judis>



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5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 2 and 3/ A2 & A3 with certain conditions.

6.Accordingly, the petitioners/ A2 & A3 are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nilakkottai, Dindigul District, on condition that the petitioners 2 and 3/ A2 and A3 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 petitioners 2 and 3 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 petitioners 2 and 3 shall report before the respondent police weekly once i.e., every Saturday at 10.30 a.m until further orders.

(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



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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;

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

In respect of the first petitioner/ A1 is concerned, this Criminal Original Petition is dismissed as withdrawn.

sd/-
04/07/2024

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/ 09 / 2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SKN

TO

1 THE JUDICIAL MAGISTRATE
NILAKKOTTAI, DINDIGUL DISTRICT.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.



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3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
NILAKKOTTAI, DINDIGUL DISTRICT.

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

+1 CC to M/s.C.M.MARI CHELLIAH PRABHU, Advocate (SR-7558[I] dated
08/07/2024)

ORDER
IN
CRL OP(MD) No.4306 of 2024
Date :04/07/2024

PSP/ SG /SAR /25.09.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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