



CRL OP(MD). No.4981 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 01/04/2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.4981 of 2024

1. Lakshmanan
2. Alagupandi @ Alagupandiyammal
3. Vijayalakshmi

... Petitioners/ Accused No.2 to 4

Vs

The Sub-Inspector of Police,
All Women Police Station,
Samayanallur,
Madurai District.
(Crime No.14/2024).

... Respondent

For Petitioners	:	Mr.R.Alagumani, Advocate.
For Respondent	:	Mr.T.Senthil Kumar Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.14/2024 on the file of the Respondent Police.

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 417,376,406,294(b), 506(i) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Crime



CRL OP(MD). No.4981 of 2024

No.14 of 2024, on the file of the respondent police, seek anticipatory bail.

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2.The petitioners are the parents and elder sister of the first accused. The Defacto complainant is a married woman having a male baby through his first husband and his first husband died in the year 2020. Thereafter, the defacto complainant had an affair with the first accused from the year 2020 and she also gave birth to one female child. Now, the defacto complainant has lodged a complaint alleging that the first accused refused to marry her.

3.The learned counsel appearing for the petitioners submits that the petitioners are innocent and they have not committed any offence as mentioned in the First Information Report.

4.Considering the nature of allegation, this Court is inclined to grant anticipatory bail to the petitioners.

5.Accordingly, this criminal original petition is allowed 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 Judicial Magistrate Court, Vadipatti on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only), with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:



CRL OP(MD). No.4981 of 2024

WEB COPY

[a]the petitioners 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 petitioners shall not tamper with the evidence or witness either during investigation or trial.

[c]the petitioners shall not abscond either during investigation or trial.

[d]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].

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
01/04/2024

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/04/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vrn



CRL OP(MD). No.4981 of 2024

TO

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1 THE JUDICIAL MAGISTRATE, VADIPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

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

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

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-4022[I] dated 01/04/2024)

ORDER
IN

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Date :01/04/2024

RS/GS/SAR-(05.04.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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