



CRL OP(MD). No.6795 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2024

PRESENT

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

CRL OP(MD). No.6795 of 2024

1. Subbiramaniyam,

2. Selvi,

3. Krishnaveni,

... Petitioners/petitioners

Vs

The Inspector of Police,
All Women Police Station (South),
Madurai City.
(Crime No. 49/2023).

... Respondent/Complainant

V. Jayanthi,

... Intervening Petitioner / Defacto Complainant
in Crl MP(MD) No.5679/2024

For Petitioners: M/s.Maharaja.M, Advocate.

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

For Intervenor : M/s.K.Dinesh, Advocate.

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



CRL OP(MD). No.6795 of 2024

PRAYER:-
WEB COPY

For Anticipatory Bail in Crime No. 49 of 2023 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 498(A), 494 and 109 of IPC, in Crime No.49 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein are in-laws of the defacto complainant. This Court by the order dated 29.01.2024, in CrI.OP(MD) No.1169 of 2024, granted anticipatory bail to the petitioners herein with a condition to deposit a sum of Rs.15,00,000/- in the name of their grandchild namely, Karthigai Selvi, in any one of the Nationalized Banks within a stipulated time. However, the petitioners have failed to comply the same. Hence, they have filed a petition in CrI.MP(MD)No.4414 of 2024 in CrI.OP(MD)No.1169 of 2024 for extension of time. However, this Court, by the order dated 17.04.2024, dismissed the said petition with liberty to the petitioners to file a fresh anticipatory bail petition. Hence, this petition.

3.The learned counsel for the petitioners would submit that as per the order of this Court in CrI.OP(MD)No.1169 of 2024, dated 29.01.2024, the petitioners have deposited a sum of Rs.15,00,000/- and he has also produced a copy of the document to that effect. Hence, he prays for grant of anticipatory bail to the petitioners.



CRL OP(MD). No.6795 of 2024

4.The learned Government Advocate (Crl.Side) for the respondent and the learned counsel for the defacto complainant have also affirmed the same.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioners have complied with the conditional order passed by this Court dated 29.01.2024, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of their 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 IV, Madurai, 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 conditions that:

(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 Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police as and when required for interrogation;

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



CRL OP(MD). No.6795 of 2024

(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 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 abscond, a fresh FIR can be registered under Section 229-A IPC;

sd/-
25/07/2024

/ TRUE COPY /

/ 08 / 2024
Sub-Assistant Registrar (C.S.I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1 THE JUDICIAL MAGISTRATE NO.IV,
MADURAI.

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

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



CRL OP(MD). No.6795 of 2024

3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, (SOUTH)
MADURAI CITY.

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

ORDER
IN
CRL OP(MD) No.6795 of 2024
Date :25/07/2024

PSP/JGB/SAR /08.08.2024/ 5P/ 5C

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