



CRL OP(MD)No.7779 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.05.2024

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

CRL OP(MD)No.7779 of 2024

J.Kamerdeen

... Petitioner / Accused No.1

Vs

The State Rep. by
The Inspector of Police,
All Women Police Station,
Madurai Town,
Madurai.
(Crime No.4 of 2011)

... Respondent / Complainant

For Petitioner : Mrs.P.Yasmin Begum, Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Section 438 of Cr.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.4 of 2011 on the file of the Respondent police.



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ORDER: The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(a), 406, 294(b), 506(i) and 307 of IPC and Section 4 of TNPHW Act in Crime No.4 of 2011 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 17.10.1999, the marriage is solemnized between him and the defacto complainant as per Muslim rites and customs. Later, he came to know that the defacto complainant has cheated him by suppressing her earlier marriage. Knowing her earlier marriage and having vengeance on the defacto complainant, she has been facing dowry harassment at the hands of the petitioner and thrown out of the matrimonial home along with her children. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that investigation is pending.

5.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Madurai on condition that the petitioner 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 learned Magistrate concerned and on further conditions that:

[a] the petitioner 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 petitioner shall report before the Judicial Magistrate No.1, Madurai once in 15 days at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioner 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 petitioner is 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].



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[f]If the accused thereafter absconds, a fresh FIR can be registered under

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Section 229-A IPC.

sd/-
24/05/2024

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Sub-Assistant Registrar
(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

RMI

To

1.The Judicial Magistrate No.I,
Madurai.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
All Women Police Station,
Madurai Town, Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.YASMIN BEGUM, Advocate (SR-5891[I] dated 28/05/2024)

ORDER

IN

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Date :24/05/2024



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ED/ VR /SAR- (28/05/2024) 5P / 6C

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