



CRL OP(MD)No.7788 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.7788 of 2024

Bharaniraj

... Petitioner / Accused No.1

Vs

The State Rep. by
The Inspector of Police,
All Women Police Station,
Tanjore,
Tanjore District,
In Crime No.10 of 2023

... Respondent/Complainant

For Petitioner : Mr.R.VIGNESH, 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.10 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 376, 417, 420, 493, 498(A), 506(1) & 109 of IPC in



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Crime No.10 of 2023 on the file of the respondent police, seeks anticipatory bail.

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2.The case of the prosecution is that on 07.01.2022, the defacto complainant and the first accused lived together as husband and wife at Bangalore and also sexually harassed the defacto complainant and as a result, she got pregnant. Thereafter on 23.02.2023, the defacto complainant and first accused registered their marriage in Sub-Register Office at Periyamedu, Chennai without consent of their parents. Immediately, the first accused went to Netherland. The defacto complainant and her parents went to the first accused's house and his house was locked. Thereafter, on 28.07.2023, the defacto complainant was informed in a conference call that the accused 2, 3 & 4 are trying to arrange marriage for Accused No.1. 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.

6.Accordingly, the petitioner is ordered to be released on bail in the event of



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arrest or on his appearance, within a period of three months from the date of receipt of a copy of this order, before the learned Additional Mahila Court, Tanjore 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] Since the petitioner is in abroad, the petitioner shall report before the respondent police as and when required for interrogation.

[c] The respondent police shall not insist on look out circular on the petitioner.

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

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

sd/-
24/05/2024

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/05/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RMI
TO

1 THE ADDITIONAL MAHILA JUDGE,
TANJORE.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TANJORE,
TANJORE DISTRICT.

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

+1 CC to M/s.R.VIGNESH, Advocate (SR-5839[I] dated 24/05/2024)



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ORDER
IN
CRL OP(MD) No.7788 of 2024
Date :24/05/2024

SA/GS/SAR. /29.05.2024/5P/5C

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