



CRL OP(MD). No.7849 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 29.05.2024

PRESENT

The Hon`ble Mrs.Justice L.VICTORIA GOWRI

CRL OP(MD). No.7849 of 2024

K.Eswaran

... Petitioner/ Sole Accused

Vs

The State represented by  
The Inspector of Police,  
All Women Police Station,  
Dindigul District.  
(Crime No.Not known of 2024)

... Respondent/ Complainant

For Petitioner : Mr.T.RAMASAMY  
Advocate.

For Respondent : M/s.M.AASHA  
Government Advocate (Crl. Side).

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

PRAYER :- For Anticipatory Bail in Crime No.Not Known of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 506(ii) and

Section 4 of Women Harassment Act in Crime No.Not Known of 2024, on the file of

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



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the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the defacto complainant who is the wife of the petitioner filed a complaint against the petitioner before the Judicial Magistrate Court, Palani. As per the direction of the Court, the present case came to be registered.

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 it is a dispute between the husband and wife. Notice has been sent to the petitioner to appear for enquiry on 23.05.2024 and 24.05.2024. But even after, receiving the summons, the petitioner did not co-operate with the enquiry.

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 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, Palani, Dindigul District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees



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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 is directed to co-operate with the enquiry and appear before the respondent police, as and when required for interrogation.

[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



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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 Section 229-A IPC.

sd/-  
29/05/2024

/ TRUE COPY /

/06/2024  
Sub-Assistant Registrar  
( C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

PNN  
TO

1 THE JUDICIAL MAGISTRATE,  
PALANI, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, DINDIGUL DISTRICT.

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

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



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ORDER

IN

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Date :29/05/2024

SA/VR/SAR. /04.06.2024/5P/5C

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