



CRL OP(MD). No.8025 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

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1.C.Murugan
2.M.Muthulakshmi
3.C.Muniyammal
4.M.Loganathan

... Petitioner/ Accused Nos.2 to 4

Vs

The State represented by
The Inspector of Police,
Pattiveerapatti police station,
Dindigul District
(Crime No.Not known of 2024)

... Respondent/Complainant

For Petitioner : Mr.N.KAMESH
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 petitioners/ Accused Nos.2 to 4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) of IPC read with



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Section 4 of Woman Harassment Act in Crime No. Not known of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first accused and the defacto complainant were working in Chennai and were in living together relationship. In this circumstances, the defacto complainant got pregnant and the first accused refused to marry her. The petitioners herein have arranged marriage of the first accused with some other girl. Therefore, the defacto complainant attempted to commit suicide by pouring kerosene. Hence the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the first petitioner is the A2 and fourth petitioner is A4 in this case. The petitioners 2 and 3 are not accused in this case. Accused No.1 is still absconding. The fourth petitioner herein is the cousin of A1, who brought the defacto complainant to the clinic for aborting her pregnancy.

5. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 1,2 and 3 with certain conditions.



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6. Accordingly, the petitioners 1,2 and 3 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 learned Judicial Magistrate, Nilakottai, on condition that the petitioners 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 petitioners 1,2 and 3 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 1,2 and 3 shall report before the respondent police daily at 11.00 a.m., for a period of four weeks and thereafter, as and when required for interrogation.

[c] the petitioners 1,2 and 3 shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioners 1,2 and 3 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 1,2 and 3 in accordance with law as if the conditions have been imposed and the petitioners 1,2 and 3 is released on bail by the learned Magistrate/Trial Court himself as laid down by the



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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 Section 229-A IPC.

7. Post the matter on 06.06.2024, for hearing the petition as against the fourth petitioner herein.

sd/-
29/05/2024

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/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,
NILAKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
PATTIVEERAPATTI POLICE STATION,
DINDIGUL DISTRICT

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



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ORDER
IN
CRL OP(MD) No.8025 of 2024
Date :29/05/2024

SA/VR/SAR. /03.06.2024/5P/5C

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