



CRL OP(MD). No.8078 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/05/2024

PRESENT

The Hon`ble Mrs.Justice L. VICTORIA GOWRI

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Dhanalakshmi

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
All Woman Police Station,
Dindigul Rural Police Station,
Dindigul District.
Cr.No.22/2024.

... Respondent/Complainant

For Petitioner : M/s.Ariharasudhan.V.S.,
Advocate.

For Respondent : Mrs.M.Aasha,
Government Advocate (Crl.Side)

PRAYER :-For Anticipatory Bail in Cr.No.22/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 417, 376 and 506(i) I.P.C. in Crime



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No.22 of 2024 on the file of the respondent police, seeks anticipatory bail.

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2.The case of the prosecution is that the the defacto complainant fell in love with the first accused and the first accused had sexual intercourse with the defacto complainant, due to which, the defacto complainant has pregnant. Therefore, the defacto complainant and her parents went the house of the first accused and the father and mother of the first accused pushed the defacto complainant and also threatened her.

3.The learned counsel for the petitioner submits that the petitioner is an innocent, she has not committed any offence as alleged by the prosecution, but she has been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) appearing for the respondent, on instructions, would submit that the petitioner is the mother of the first accused and the second accused in this case already arrested and no previous case is pending against the petitioner.

5.Considering the facts and circumstances of the case and considering the

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nature of offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or 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.III, Dindigul, Dindigul District, 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 learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b)the petitioner shall report before the respondent police daily at 10.30 am, for a period of four weeks and thereafter 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;



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(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 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/ petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
30/05/2024

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/06/2024

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

Is

TO

1.THE JUDICIAL MAGISTRATE NO.III, DINDIGUL, DINDIGUL DISTRICT,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

3.THE INSPECTOR OF POLICE,
ALL WOMAN POLICE STATION,
DINDIGUL RURAL POLICE STATION,
DINDIGUL DISTRICT.



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

+1 CC to M/s.V.S.ARIHARASUDHAN, Advocate (SR-5997[I] dated 30/05/2024)

ORDER
IN
CRL OP(MD) No.8078 of 2024
Date :30/05/2024

RK/JGB (03/06/2024) 5P / 6C

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