



CRL OP(MD). No.8141 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 11/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.8141 of 2024

Hariharan,

... Petitioner/1st Accused

Vs

The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli City,
Crime No.15/2024.

... Respondent/Complainant

For Petitioner : M/s.Padmaraj.C,Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.15/2024 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 alleged offences punishable under Sections 498(A) and 506(i) of IPC, in Cr.No.15 of 2024, on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused

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harassed the defacto complainant by demanding additional dowry. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(Crl.Side) would submit that it is matrimonial dispute between the parties and major part of the investigation is completed. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that major part of the investigation is over, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Tirunelveli, 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 respondent Police or to the Police Officer, who intends to arrest or 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 Aadhar

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card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police weekly once, ie. on every Saturday at 10.30 am until further orders;

(c)the petitioner shall not tamper with 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 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 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
11/07/2024

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/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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LS
TO
WHY COPY

- 1 THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI
- 2 DO THROUGH;
THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PALAYAMKOTTAI, TIRUNELVELI CITY
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.PADMARAJ, Advocate (SR-7816[I] dated 12/07/2024)

ORDER
IN

CRL OP(MD) No.8141 of 2024

Date :11/07/2024

PKP/GS/SAR /22.07.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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