



CRL OP(MD). No.9103 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/07/2024

PRESENT

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

CRL OP(MD). No.9103 of 2024

Manimuthu,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
All Women Police Station,
Paramakudi,
Ramanathapuram District.
(Crime No.9/2024).

... Respondent/ Complainant

Poornimadevi

... Petitioner/ Defacto Complainant

In Crl.MP(MD).6795/2024 in Crl.OP(MD).9103/2024

For Petitioner : M/s.Navaneetha Krishnan R,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For Intervenor : Mr.R.Shankar Ganesh,
Advocate.

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

PRAYER :- For Anticipatory Bail in Crime No.9/2024 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 498(A), 406 & 506(1) of IPC in Cr.No.9 of 2024, seeks anticipatory bail.

2. Since it is a matrimonial dispute between the petitioner and the defacto complainant, earlier, this Court, by the order dated 21.06.2024 referred the matter to the Mediation and Conciliation Centre attached to this Bench for settlement by appointing MR.B.Santhanam Rahesh Kumar (Ms.2130/11) as Mediator.

3.Today, when the matter is taken up for hearing, it is reported that the matter has been amicably settled before the Mediation and Conciliation Centre attached to this Bench and a report is filed to that effect.

4.A perusal of the said report would reveal that the petitioner / husband is ready to live with the defacto complainant / wife. But, the wife is not willing to live with him. She only claims maintenance amount from the petitioner. Finally, the petitioner is agreed to pay a sum of Rs.50,000/- towards school fees for two children and also agreed to pay a sum of Rs.10,000/- every month as maintenance to the defacto complainant. At the time of hearing, the petitioner as agreed by him, has handed over the Demand Draft for a sum of Rs.50,000/- to the defacto complainant.

5. The learned counsel appearing for the Intervenor has admitted the above said



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facts and also stated that the defacto complainant has received the Demand Draft for a sum of Rs.50,000/-, which was given by the petitioner towards school fees for two children.

6. The learned Additional Public Prosecutor appearing for the petitioner has also affirmed the above said facts.

7. Considering the facts and circumstances of the case and also considering the fact that the matter was settled before the mediation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, 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 Judicial Magistrate Court, Paramakudi, Ramanathapuram 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 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 card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police as and when required



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for interrogation;

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(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/-
09/07/2024

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

DSS
TO
1 THE JUDICIAL MAGISTRATE,
PARAMAKUDI, RAMANATHAPURAM DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, RAMANATHAPURAM DISTRICT.



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3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PARAMAKUDI, RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.R.NAVANEETHA KRISHNAN, Advocate (SR-7699[I] dated
10/07/2024)

ORDER
IN
CRL OP(MD) No.9103 of 2024
Date :09/07/2024

SA/GS/SAR. /22.07.2024/5P/6C

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