



CRL OP(MD). No.10839 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2024

PRESENT

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

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Jai Fredaric,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
All Women Police Station,
Thanjavur,
Thanjavur District.
Crime No.14/2023.

... Respondent/Complainant

For Petitioner : Mr.C.Jeya Prakash,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 B.N.N.S

PRAYER :-

For Anticipatory Bail in Crime No.14 of 2023 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 498(A), 294(b) and 506(i) IPC , in Crime No.14 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the wife of the petitioner and they have two female children. The petitioner is having illegal contact with the second accused, due to which, some family dispute arose between the petitioner and the defacto complainant and on 11.12.2023, the petitioner and the second accused attacked the defacto complainant and threatened her with dire consequences. Hence this complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution 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 (criminal side) appearing for the



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respondent police would submit that the defacto complainant is the wife of the petitioner, however, he developed illegal intimacy with the second accused and thereby, the petitioner and the second accused attacked the defacto complainant and threatened her with dire consequences. He would further submit that the second accused has been granted anticipatory bail.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused has already been released on bail, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-cum-Additional Mahila court, Thanjavur, 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;



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(b)the petitioner shall report before the respondent police weekly once i.e., every Saturday at 10.00 a.m 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/-
19/07/2024

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

SKN



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TO
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- 1 THE JUDICIAL MAGISTRATE CUM
ADDITIONAL MAHILA JUDGE,
THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THANJAVUR,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to C.JEYA PRAKASH Advocate SR.No.8302 DATED 23/07/2024

ORDER
IN

CRL OP(MD) No.10839 of 2024

Date :19/07/2024

SS/GS/SAR- /29/07/2024/5P/6C

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