



CRL OP(MD). No.10917 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2024

PRESENT

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

CRL OP(MD). No.10917 of 2024

1. Palanikumar,

2. P.Muthupillai,

... Petitioners/ Accused Nos.2 AND 3

Vs

The Inspector of Police,
All Women Police Station,
Annanagar,
Gomathiyapuram,
Madurai.
(In Crime No.37 of 2024).

... Respondent/Complainant

For Petitioner : Mr.I. Sabeermohamed,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 BNS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime no.37 of 2024 on the file of the Respondent Police.



CRL OP(MD). No.10917 of 2024

ORDER : The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 69, 351(ii) and 351(iii) of BNS in Crime No.37 of 2024, seek anticipatory bail.

2.The case of the prosecution that on promising to marry the defacto complainant A1 had sexual intercourse with her and subsuequently, he refused to marry her and that motive the the petitioners herein have threatened the defacto complainant with dire consequences. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and their names have been falesly implicated in this case and hence, the the petitioners may be granted anticipatory bail.

4.The learned Government Advocate(Crl.Side) would submit that investigation of the case is pending.

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



CRL OP(MD). No.10917 of 2024

WEB COPY

nature of allegations made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 am until further orders;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;



CRL OP(MD). No.10917 of 2024

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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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/07/2024

/ TRUE COPY /

/08/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ANNANAGAR,
GOMATHIYAPURAM,
MADURAI.



CRL OP(MD). No.10917 of 2024

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

+1 CC to M/s.I.SABEER MOHAMED, Advocate (SR-8237[I] dated 22/07/2024)

ORDER
IN
CRL OP(MD) No.10917 of 2024
Date :22/07/2024

SS/GS/SAR- /01/08/2024/5P/6C

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