



CRL OP(MD). No.11235 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/07/2024

PRESENT

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

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1. Abdul Kasim
2. Ahamed Settu
3. Meharaj Begam

... Petitioners/ Accused Nos.1 to 3

Vs

The Inspector of Police,
All Women Police Station,
Manaparai, Trichy District.
Crime No. 16/2024

... Respondent/Complainant

For Petitioners : Mr.K.R.Badurus Zaman, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.16 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b), 323 and 506(i) of IPC, in Crime No.16 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner and the defacto complainant are the husband and wife. The petitioners 2 & 3 are the parents of the first petitioner. The petitioners along with other accused have harassed the defacto



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complainant by demanding additional dowry. Hence, the complaint.

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3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that totally 9 accused are involved in this case. The petitioners herein are arrayed as A1, A2 & A3. It is a matrimonial dispute between the first petitioner and the defacto complainant and the other petitioners are in-laws. Still, 6 witnesses have been examined and the investigation is yet to be completed.

5.Considering the facts and circumstances of the case and also considering the facts that it is a matrimonial dispute between the husband and wife and the petitioners 2 & 3 are only in-laws, 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 Judicial Magistrate Court, Manaparai, Trichy District, 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 learned Magistrate concerned and on further conditions that:



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(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 weekly once i.e., every Saturday 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;

(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/-
23/07/2024

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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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TO

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1 THE JUDICIAL MAGISTRATE, MANAPARAI, TRICHY DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, MANAPARAI, TRICHY DISTRICT.

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

+1 CC to M/s.K.R.BADURUS ZAMAN, Advocate (SR-8385[I] dated 23/07/2024)

ORDER

IN

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Date :23/07/2024

RS/VR/SAR-(31.07.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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