



CRL OP(MD)No.11693 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 26.07.2024

PRESENT

The Hon`ble MR.JUSTICE AA.NAKKIRAN

CRL OP(MD)No.11693 of 2024

1.Elakkiya Sundaresan

2.Sundaresan Geroqe

... Petitioners/ Accused No.4 & 5

Vs

The Inspector of Police,
All Women Police Station,
Aandipattii,
Theni District.
(In Crime No.19 of 2024)

... Respondent/complainant

For Petitioner : Mr.S.S.Sundarapandian, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.19 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for



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the alleged offence punishable under Sections 498(A), 294(b), 323 and 506(1) IPC in Cr.No.19 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the first accused are husband and wife. After marriage, the accused persons harassed the defacto complainant by demanding additional dowry. Hence, the case.

3.The learned counsel appearing for the petitioners submits that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Further, he submits that this Court granted anticipatory bail to the co-accused and accordingly, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate(Crl.side) for the respondent submits that the investigation is yet to be completed.

5.Considering the facts and circumstances of the case and also considering the fact that this Court granted anticipatory bail to the co-accused, this Court is inclined to grant anticipatory bail to the petitioners.



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6. Accordingly, this criminal original petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Andipatti on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand) 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., for a period of two weeks and thereafter, as and when required;

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



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(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 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
26/07/2024

/ TRUE COPY /

/08/2024

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

gns

TO

1.THE JUDICIAL MAGISTRATE, ANDIPATTI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.



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3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
AANDIPATTI,
THENI DISTRICT.

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

+1 CC to M/s.S.SUNDARAPANDIAN, Advocate (SR-8689[I] dated 26/07/2024)

ORDER
IN
CRL OP(MD) No.11693 of 2024
Date :26/07/2024

RK/VR (12/08/2024) 5P / 6C

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