



CRL OP(MD). No.11610 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.11610 of 2024

S.Muthumari,

... Petitioner/Sole Accused

Vs

1. The Inspector of Police,
Mallanginar Police Station,
Virudhunagar District.
(Crime No.125 of 2024).

... Respondent/Complainant

2. Sangeetha,
(R2 is Suo-Motu impleaded as per order of this
Court dated 05.08.2024 in CrI.OP(MD).11610/2024)

... 2nd Respondent

For Petitioner : Mr.R.Ponkarthikeyan,
Advocate.

For R1 : Mr.A.Albert James,
Government Advocate (CrI.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.125/2024 on the file of the Respondent
Police.

<https://www.mhc.tn.gov.in/judis>



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ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 85 BNS, [498 (A) IPC], in Cr.No. 125 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute between the parties, the petitioner quarrelled with his wife, due to which, the wife of the petitioner consumed poison by attempting suicide. Hence, the complaint.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the facts and circumstances of the case and also considering the nature of allegation against the petitioner and considering the fact that the petitioner is only taking care of two minor children, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, this Petition is allowed and 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 (*)District Munsif cum Judicial Magistrate, Kariyapatti, 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



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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 daily at 10.30 am for a period of two weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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;



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229-A IPC.

sd/-
12/09/2024

(*)For Corrected as per Order of this Hon'ble
Court dt.23.09.2024 in Crl.OP(MD).
11610/2024.

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/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

TO BE SUBSTITUTED WITH THE ORDER DT.12/09/2024.

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KARIYAPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
MALLANGINAR POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.R.PON KARTHIKEYAN, Advocate (SR-11267[I] dated 13/09/2024)



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ORDER
IN
CRL OP(MD) No.11610 of 2024
Date :12/09/2024

SA/MMS/SAR. /07.10.2024/5P/6C

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