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CRL OP(MD). No.11820 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2024

PRESENT

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

CRL OP(MD). No.11820 of 2024

Magesh,

... Petitioner/ Accused 1

Vs

The Sub Inspector of Police,
All Women Police Station, Sankarankovil,
Tenkasi District
(Crime No. 14 of 2024).

... Respondent/ Complainant

For Petitioner : M/s. Veerapandi.P.,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 BNSS / 439 of Cr.P.C.

PRAYER :- For Bail in Crime No. 14 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 14.07.2024 for the offences punishable under Sections 294(b), 494, 506(i) IPC @ 498(A), 294(b), 494, 506(2) IPC and Section 4 of Tamil Nadu Prohibition of

Harassment of Woman Act, in crime No.14 of 2024 on the file of the respondent

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



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police, seeks bail.

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2.The case of the prosecution is that there was a matrimonial dispute between the defacto complainant and the petitioner and that the petitioner herein has threatened the defacto complainant and also demanded more dowry. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 14.07.2024, hence he may be granted bail.

4.The learned Additional Public Prosecutor would submit that there was a matrimonial dispute between the A1 and the defacto complainant and the investigation of the case is pending.

5.Considering the submissions made by the learned counsel on either side and also considering the period of incarceration and that it is a matrimonial dispute, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 learned Judicial Magistrate, Sankarankovil, Thenkasi District.



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(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police once in a week i.e., on every Saturday at 10.30 am until further orders.

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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].

vi)If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
26/07/2024

/ TRUE COPY /

26/07/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TRP

TO

1 THE JUDICIAL MAGISTRATE,
SANKARANKOVIL, TENKASI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, SANKARANKOVIL, TENKASI DISTRICT.

4 THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SANKARANKOVIL,
TENKASI DISTRICT

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
+1 CC to M/s.P.VEERAPANDI, Advocate (SR-8763[I] dated 26/07/2024)

ORDER IN
CRL OP(MD) No.11820 of 2024
Date :26/07/2024

SA/SAR. /26.07.2024/4P/7C

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