



CRL OP(MD). No.12291 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 06/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12291 of 2024

1. Prabakaran

2. Rupavathi

... Petitioners/ Accused Nos.1 & 2

Vs

The Inspector of Police,
All Women Police Station,
Thirumangalam,
Madurai District.
(Crime No.11 of 2024.)

... Respondent/Complainant

For Petitioner : M/s.R.Udhayakumar, Advocate.

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

For Intervenor : Mr.R.Sundar, Advocate.

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime no.11 of 2024 on the file of the Respondent Police.



CRL OP(MD). No.12291 of 2024

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 406, 506(i) of IPC, in Crime No.11 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein are none other than the son and daughter-in-law of the defacto complainant. They taken away 25 sovereigns of gold jewels from the defacto complainant and failed to return the same. Hence, the complaint.

3.Heard both sides.

4.As per the first information report, the petitioners herein being the son and daughter-in-law of the defacto complainant, they took away 25 sovereigns of gold jewels from her and did not return the same. The learned counsel for the petitioners submits that everything is subject to the partition suit, which is pending between the parties. The Learned Counsel for the Intervener strongly opposes the petition on the ground that 25 sovereigns of gold has been taken away by the petitioners and they have not returned the same at all.

5.Considering the dispute arising between the mother and the son and also considering the fact that there is a partition suit also pending between the members



CRL OP(MD). No.12291 of 2024

of the family, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions.

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6. Accordingly, the petitioners are ordered to be released on bail in the event of 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, Thirumangalam, Madurai District, on condition that the petitioner 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 for a period of three 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 petitioners shall not tamper with evidence or witness either during investigation or trial;



CRL OP(MD). No.12291 of 2024

(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/-
06/08/2024

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

DSS

To

1.The Judicial Magistrate,
Thirumangalam,
Madurai District.

2.Do through the Chief Judicial Magistrate,
Madurai District.



CRL OP(MD). No.12291 of 2024

3.The Inspector of Police,
All Women Police Station,
Thirumangalam, Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.UDHAYAKUMAR, Advocate (SR-9602[I] dated 07/08/2024)

ORDER
IN
CRL OP(MD) No.12291 of 2024
Date :06/08/2024

ED/ GS /SAR- (19/08/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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