



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2024

PRESENT

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

CRL OP(MD). No.12275 of 2024

1. Alagumathy
2. Mageshwari
3. Sivakumar
4. Kaliraj
5. Guruvammal @ Roja

... Petitioners/ Accused Nos.2 to 6

Vs

The Inspector of Police,
Bodi All Women Police Station
Theni District.
Crime No.12/2024.

... Respondent/Complainant

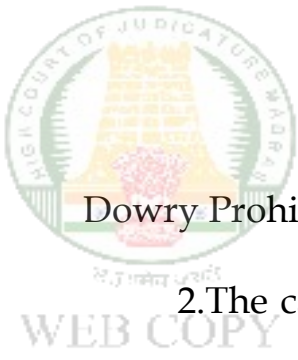
For Petitioner : M/s.Dharani.A, Advocate.
For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-For Anticipatory Bail in Crime No.12/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406 IPC and Section 4 of



Dowry Prohibition Act, 1961 , in Crime No.12 of 2024, seek anticipatory bail.

2.The case of the prosecution is that there was a matrimonial dispute and the petitioners herein have harassed the defacto complainant both mentally and cruelly. Hence, the case.

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.

4.The learned Government Advocate(Crl.Side) would submit that it is a case of matrimonial dispute and as on date 6 witnesses have been examined.

5.Considering the facts and circumstances of the case and also considering the fact that it is a matrimonial dispute, 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 learned Judicial Magistrate, Bodinayakkanur, Theni 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 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 as and when required for interrogation.

(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/-
31/07/2024

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/08/2024

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

TRP

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



TO

1 THE JUDICIAL MAGISTRATE,
BODINAYAKKANUR, THENI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT.

3 THE INSPECTOR OF POLICE
BODI ALL WOMEN POLICE STATION
THENI DISTRICT.

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

+1 CC to M/s.A.DHARANI, Advocate (SR-9266[I] dated 02/08/2024)

ORDER
IN

CRL OP(MD) No.12275 of 2024

Date :31/07/2024

MK/MGA/23.08.2024 4P 6C

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