



CRL OP(MD). No.12166 of 2024

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.12166 of 2024

1. M.Deepak Kumar

2. K.Murugan,

3. M.Jothilakshmi,

... Petitioners/ Accused 1,3 & 4

Vs

The Inspector of Police,
All Women Police Station,
Bodi, Theni
District.
Crime No,4/2024..

... Respondent/Complainant

For Petitioner : M/s.Ilavarasan.S,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No.4/2024 on the file of the respondent Police.



CRL OP(MD). No.12166 of 2024

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 406, 498(A) and 506(ii) IPC, in Crime No.4 of 2024, seek anticipatory bail.

2.The case of the prosecution is that A1 and the defacto complainant is the husband and wife, due to matrimonial dispute, the petitioners herein have harassed the defacto complainant both mentally and cruelly. Hence the complaint.

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 8 witnesses have been examined.

5.Considering the facts and circumstances of the case and also considering the fact it is a matrimonial dispute, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CRL OP(MD). No.12166 of 2024

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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, Bodinayakanoor on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two common 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 once in a week i.e., on every Saturday at 10.30 am until further orders;

(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



CRL OP(MD). No.12166 of 2024

WEB COPY

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 ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1 THE JUDICIAL MAGISTRATE
BODINAYAKANOR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT.

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

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



CRL OP(MD). No.12166 of 2024

+1 CC to M/s.S.ILAVARASAN, Advocate (SR-9273[I] dated 02/08/2024)

ORDER
IN
CRL OP(MD) No.12166 of 2024
Date :31/07/2024

SS/JGB/SAR- /09/08/2024/5P/6C

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