



**CRL OP(MD). No.12402 of 2024**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**( Criminal Jurisdiction )**

**Date : 04.09.2024**

**PRESENT**

**The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY**

**CRL OP(MD). No.12402 of 2024**

1. Fathimar Afra
2. Muhamed Anas
3. Mohamed Musthafa
- (\*) 4. Rajesh Prabhu @ Rajubay (Rayyan)**

... Petitioners/ Rank Not Known

**Vs**

The Inspector of Police,  
Bazaar Police Station,  
Ramanathapuram District.  
Crime No.237 of 2024

... Respondent/Complainant

For Petitioners : Mr.M.Palanivel, Advocate.

For Respondent : Mr.A.Albert James  
Government Advocate(Crl. side)

For Intervenor : Mr.D.Bala Murugapandi, Advocate

**PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS**

**PRAYER :-**

**For Anticipatory Bail in Crime No.237 of 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 petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections **(\*\*)296(b), 115(2), 303(2), and 351 (3) of BNS and Section 4 of Tamil Nadu Prohibition of Women's Harassment Act,2002** in Crime No.237 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to previous dispute between the parties, the petitioners are said to have attacked the defacto complainant and had stolen his laptop. Hence, the complaint.

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

4.Considering that the fact that the defacto complainant/husband is also not attending the mediation, considering the nature of allegations that only after the first complaint lodged by the wife, the present complaint is lodged, I am inclined to grant anticipatory bail with certain conditions.

5.Accordingly, this Petition is allowed and 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 learned **(\*\*)** **Additional Mahila Court (Magistrate Level), Ramanathapuram,** on condition that

the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



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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 a.m., 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 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;



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(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

6.In view of the fact that the petition itself is ordered, the mediation shall stands closed.

sd/-

04/09/2024

**(\*,\*\*)Amended Order as per the order of this Court dated 11/11/2024 made in CrI.M.P(MD) No.11995 of 2024 in CrI.O.P(MD) No.12402 of 2024 by NAVJ.**

**(\*\*\*)Amended as per order of the Court dated 11/11/2024 in CrI MP(MD).8742 of 2024 in CrI OP (MD).12402 of 2024 by NAVJ.**

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18/ 11 /2024

Sub-Assistant Registrar  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

JBR

TO

**To be Substituted to the order already despatched  
on 04.09.2024.**

1 THE ADDITIONAL MAHILA JUDGE (MAGISTRATE LEVEL),  
RAMANATHAPURAM,

2 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
NO.I, RAMANATHAPURAM.

3 DO-THROUGH  
THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM DISTRICT.



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4 THE INSPECTOR OF POLICE  
BAZAAR POLICE STATION, RAMANATHAPURAM,

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

+ 1 CC TO Mr.M.PALANIVEL, Advocate SR.No.10848(I) DATED 04/09/2024

+1 CC TO Mr.D.BALAMURUGAPANDI, Advocate SR.No.11004(I) DATED  
06/09/2024

ORDER  
IN  
CRL OP(MD) No.12402 of 2024  
Date :04/09/2024

PSP/ VR /SAR /28.09.2024/ 5P/ 7C

PSP/ /SAR /28.09.2024/ 5P/ 6C

LR  
SS/SAR/18/11/2024/ 5P 8C

Madurai Bench of Madras High Court is issuing certified  
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