



CRL OP(MD). No.12471 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2024

PRESENT

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

CRL OP(MD). No.12471 of 2024

Poobathi

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Thiruvaiyaru All Women Police Station,
Thanjavur District.

... Respondent/Complainant

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

For Respondent : Mr.K.Sanjai Gandhi, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.5/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 69, 91, 131, 108 and 62 of BNS, 2023 r/w Section 4 of Tamilnadu Prohibition of Harassment of Women Act, in Cr.No.5 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant were in love. At that time, he had sexual intercourse with the defacto complainant by giving a false promise that he would marry her. Thereafter, she become pregnant.

However, he refused to marry her and also married some other woman. Hence, the



CRL OP(MD). No.12471 of 2024

defecto complainant attempted to commit suicide by consuming poison. Now, she was saved. Hence, the complaint.

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3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the injured was discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that the investigation is in preliminary stage. But, however, he fairly conceded that the injured was discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the facts that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Thiruvaiyaru., on condition that the petitioner shall execute 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 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:



CRL OP(MD). No.12471 of 2024

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(a) the petitioner 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 petitioner shall report before the Kumbakonam Police Station daily at 10.30 a.m, until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner 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 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]; and;

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

sd/-
02/08/2024

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



CRL OP(MD). No.12471 of 2024

TO

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1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
THIRUVAIYARU ALL WOMEN POLICE STATION,
THANJAVUR DISTRICT.

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

COPY TO

THE INSPECTOR OF POLICE, KUMBAKONAM POLICE STATION,
KUMBAKONAM.

ORDER
IN

CRL OP(MD) No.12471 of 2024

Date :02/08/2024

RS/GS/SAR-(23.08.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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