



CRL OP(MD)No.12636 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.12636 of 2024

Mikkelammal

... Petitioner / Accused No.2

Vs

The Inspector of Police,
Vadaserry Police Station,
Kaniyakumari District.
(Crime No.222 of 2024)

... Respondent / Complainant

For Petitioner : Mr.S.Balaji Nivas, Advocate

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S.

PRAYER :- For Bail in Cr No.222 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested for the offence punishable under Sections 77, 296(b), 115(2) & 351(3) BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Cr.No.222 of 2024 on the file of the respondent police,



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seeks bail.

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2.The case of the prosecution is that the parties are neighbors and there was a dispute between them, due to which, the accused persons abused the defacto complainant in filthy language and also threatened to to vacate the house. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. accordingly, he would pray to grant bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that no previous case is pending against the petitioner.

5.Considering the period of incarceration and also considering the fact that no bad antecedent is reported against the petitioner, this Court is inclined to grant bail to the petitioner on certain conditions.

6 Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 learned Additional Mahila Judge (Magistrate Level) at Nagercoil, Kanyakumari District.

[i] the sureties shall affix their photographs and Left thumb Impression in the



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surety bond and the Special Court/concerned Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[ii] The petitioner shall report before the respondent police daily at 10.30 a.m, for a period of three weeks and thereafter, as and when required;

[iii] the petitioner shall not tamper with evidence or witness;

[iv] the petitioner shall not abscond during trial.

[v] On breach of any of the aforesaid conditions, the learned Judicial 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].

[vii] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
02/08/2024

/ TRUE COPY /

05/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS



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To

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1.The Additional Mahila Judge,
(Magistrate Level),
Kanyakumari District.

2.Do through the Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.

3.The Inspector of Police,
Vadasery Police Station,
Kanyakumari District.

4.The Officer Incharge,
Sub Jail, Womens Prison,
Thuckalay at Kanniyakumari District.

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

ORDER

IN

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Date :02/08/2024

ED/ /SAR- (05/08/2024) 4P / 6C

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