



CRL OP(MD). No.12739 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 05/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1.Raja

2.M.Meena

... Petitioners/ Accused Nos.2&3

Vs

The Inspector of Police,
Maraneri Police Station,
Virudhunagar District.
(Crime NO.127 of 2024)

... Respondent/Complainant

For Petitioners : M/s. Ajmal Khan. S.A, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.127 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ A2 & A3, who apprehend arrest at the hands of the



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respondent police for the offences punishable under Sections 296(b), 324(4) and 351(3) of BNS, 2023, in Crime No.127 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the first accused and the defacto complainant are the husband and wife. The petitioners herein are the brother and mother of the first accused. The first accused and the petitioners, abused the defacto complainant in filthy language and threatened her with dire consequences. Further, the first accused trespassed into the house of the father-in-law and damaged the mirror of the Car and demanded a sum of Rs.10,000/-. 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. He would further submit that it is a case of matrimonial dispute between the first accused and the defacto complainant and the petitioners herein are only in-laws. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The Additional Public Prosecutor would submit that the the investigation is still pending. However, he fairly submitted that it is a case of matrimonial dispute between the first accused and the defacto complainant. The petitioners herein are the only in-laws. Further, the injured has sustained only simple injury.

5.considering the allegation arising out of the domestic relationship and also considering the fact that the defecto complainant being wife of the first accused and



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the other accused being in laws, this Court is inclined to grant anticipatory bail to the petitioners 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 No.I, Sivakasi, 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:

(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



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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/-
05/08/2024

(*)Corrected as per the order of this Hon'ble Court in CRL OP(MD)No.12739 of 2024 dated 23/08/2024.

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

DSS

To
TO BE SUBSTITUTED WITH THE ORDER DATED 05/08/2024 ALREADY DESPATCHED.

1.The Judicial Magistrate No.I,
Sivakasi.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
Maraneri Police Station,
Virudhunagar District.



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

+1 CC to M/s.S.A.AJMAL KHAN, Advocate (SR-9536[I] dated 06/08/2024)

ORDER
IN
CRL OP(MD) No.12739 of 2024
Date :05/08/2024

ED/ JGB /SAR- (09/08/2024) 5P / 6C
LS
SS/GS/SAR- (29/08/2024) 5P / 6C

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