



CRL OP(MD). No.12887 of 2024

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

Date : 10.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12887 of 2024

and

CRL.M.P.(MD)No.9316 of 2024

1. Amarnath
2. Dhanushkodi
3. Susila

... Petitioners/ Accused No.1 to 3

Vs

The Inspector of Police,
All Women Police Station,
Usilampatti,
Madurai District.
(Crime No.9 of 2024)

... Respondent/Complainant

For Petitioners : Mr.S.Mahendrapathy, Advocate.

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

For Intervener : Mr.K.Lenin, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.9 of 2024 on the file of the Respondent police.



CRL OP(MD). No.12887 of 2024

ORDER: The Court made the following order :-

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The petitioners /Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498A, 406, 323 of IPC and Section 4 of Dowry Prohibition Act , in Crime No.9 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioner on the instigation of other accused, threatened the defacto complainant and also demanded additional dowry from her. Hence, the complaint.

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

4.Today, it is represented by the learned Counsels on either side that without prejudice to the contentions of the parties, totally 74 sovereigns of jewels have been given to defacto complainant. As far as the other articles such as dress materials, certificates, files etc., are concerned, the learned Counsel for the petitioners submit that whatever is in the custody of the petitioner, will be handed over to the defacto complainant. The same can be handed over directly to the defacto complainant by getting a signature or through the Investigating Officer. Both the parties shall complete the said process and also report the same before the Investigating Officer on or before 30.09.2024.



CRL OP(MD). No.12887 of 2024

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5. In view of the above findings, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions.

6. 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 Judicial Magistrate No.I, Usilampatti, Madurai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand 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 first petitioner shall report before the respondent police daily at 06.00 p.m., for a period of three weeks and the petitioners 2 and 3 shall report before the respondent police daily at 06.00 p.m., for a period of one week 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



CRL OP(MD). No.12887 of 2024

investigation or trial;

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(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;

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

7.Consequently, connected miscellaneous petition is closed.

sd/-
10/09/2024

/ TRUE COPY /

/09/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

To

1.The Judicial Magistrate No.I,
Usilampatti, Madurai District.



CRL OP(MD). No.12887 of 2024

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
All Women Police Station,
Usilampatti, Madurai District.

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

+1 CC to M/s.S.MAHENDRAPATHY, Advocate (SR-11236[I] dated 12/09/2024)

ORDER
IN
CRL OP(MD) No.12887 of 2024
Date :10/09/2024

ED/ VR /SAR- (01/10/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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