



CRL OP(MD). No.13526 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/09/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Divya

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
K.Paramathi Police Station,
Karur District.
In Crime No.30/2024.

... Respondent/Complainant

For Petitioner : Mr.M.Subash Babu
Senior Counsel for
M/s.Subash Law Office,

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.30/2024 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 petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.30 of 2024, for the offence punishable under Sections 364A, 323, 452 and 506(ii) IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that due to money dispute, the petitioner along with the other accused has kidnapped the defacto complainant for committing murder. However, he narrowly escaped and lodged the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Considering the submission of the learned Senior Counsel for the petitioner, this Court has directed the respondent police to file a status report as to the stage of the investigation and the allegations made by the learned Senior Counsel. Accordingly, a status report has been filed by the respondent police and it is submitted that the first and second accused have received a sum of Rs.18,00,000/- from the defacto complainant and in order to evade the payment, they attempted to kill the defacto complainant by engaging hooligans. Even according to the Inspector of Police, K Paramathi Police Station, Karur, the petitioner is not the wife of the first



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accused and she conspired with him for commission of offence. The first accused was already arrested. The respondent police further claims that the investigation is in crucial stage.

5.This Court is unable to accept the case of the respondent police that for the case, which was registered in the month of January 2024, the investigation is kept pending without any progress.

6.Admittedly, the accused have borrowed money from the defacto complainant. Strangely, the borrowers alleged to have kidnapped the lender/defacto complainant.

7. Considering the facts and circumstances of the case and also considering the nature of allegation as against the petitioner that she has conspired with the first accused for commission of offence, this Court is inclined to grant anticipatory bail to the petitioner.

8. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of her arrest or on her appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned learned Judicial Magistrate on condition that

(i) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Aravakurichi, Karur District.



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(ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iii) The petitioner shall appear before the respondent police daily at 10.30 am for a period of 15 days and thereafter, she shall appear as and when required for interrogation. She has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to her by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
02/09/2024

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/09 /2024

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

LR

TO

1 THE JUDICIAL MAGISTRATE
ARAVAKURICHI,
KARUR DISTRICT.



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2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3 THE INSPECTOR OF POLICE
K.PARAMATHI POLICE STATION,
KARUR DISTRICT.

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

+1 CC to M/s.SUBASH LAW OFFICE, Advocate (SR-10697[I] dated 02/09/2024)

ORDER
IN
CRL OP(MD) No.13526 of 2024
Date :02/09/2024

PSP/ SG /SAR /13.09.2024/ 5P/ 6C

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