



CRL OP(MD). No.13764 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13764 of 2024

Subash Raj,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
All Women Police Station,
Thilagarthidal,
Madurai City,
Cr.No.4 of 2022.

... Respondent/Complainant

For Petitioner : Mr.R. Jegadeeswaran,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :- To enlarge the petitioner on bail in the event of his arrest in P.R.C.No.300 of 2022 on the file of the Additional Mahila Court, Judicial Magistrate Court, Madurai.

ORDER : The Court made the following order :-

This Petition is filed to enlarge the petitioner on bail in the event of his arrest in



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P.R.C.No.300 of 2022 on the file of the Additional Mahila Court, Judicial Magistrate Court, Madurai.

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2. The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417 and 376 IPC, in Cr.No. 4 of 2022, seeks anticipatory bail.

3. The case of the prosecution is that the petitioner by giving false promise to marry the defacto complainant, he had sexual relationship with her and thereafter, the petitioner refused for marriage. Hence, the complaint.

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

5. Considering the facts and circumstances of the case and also considering the nature of allegation that petitioner and the defacto complainant, after their failed earlier marriages, decided to re-marry and even before the marriage, the petitioner is said to have made an intercourse by promising to marry the defacto complainant and thereafter, he did not marry her and considering the fact that already the



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charge sheet itself is filed and that the petitioner was away in Ireland only for his avocation, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

6. Accordingly, this Petition is allowed and 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 Additional Mahila Court, Judicial Magistrate Court, Madurai, 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 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 respondent police daily at 10.30 am for a period of three weeks 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;



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(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/-
22/08/2024

/ TRUE COPY /

/09/2024

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

LS
TO

1 THE ADDITIONAL MAHILA JUDGE,
JUDICIAL MAGISTRATE, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



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3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THILAGARTHIDAL,
MADURAI CITY,

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

+1 CC to M/s.R.JEGADEESWARAN, Advocate (SR-10310[I] dated 23/08/2024)

ORDER

IN

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Date :22/08/2024

SS/SG/SAR- /05/09/2024/5P/6C

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