



CRL OP(MD). No.14091 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14091 of 2024

Mohammed Naveeth,

... Petitioner/ Accused No.1

Vs

**1. The Inspector of Police,
All Women Police Station,
Uthamapalayam,Theni District.
Cr.No.14 of 2024..**

... Respondent / Complainant

**2. Hasena Fathima,
D/o.Mansoor Ahammed,
W-10, Thathappankulam,
2nd Lane, Cumbum.**

... Defacto Complainant

**(R2 is suo-motu impleaded as per
order of this Court, dated 27.08.2024,
in Crl.OP(MD).14091 of 2024 by
DBCJ)**

For Petitioner : M/s.S.Balaji, Advocate.

For Respondent : Mr.A.Albert James,

Government Advocate (Crl.Side)

For R2 : Mr.M.Karupasamy Pandian, Advocate.



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PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.14 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417 and 294(b) of IPC altered into Section 376 of IPC, in Cr.No.14 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner had sexual intercourse with the defacto complainant by giving a false promise that he would marry her. Thereafter, he refused to marry her. Hence, the complaint.

3. When the matter came up for hearing on 27.08.2024, considering the nature of the offence, the parties were referred to mediation and now, before the mediation, the matter has been settled between them and the settlement agreement is also recorded.

4. In view of the above, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.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



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copy of this order, before the Judicial Magistrate Court, Uthamapalayam, Theni District, 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 as and when required for interrogation;

(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;



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(f)if the accused thereafter absconds, a fresh FIR can be registered under Section

229-A IPC.

sd/-

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/ 10 /2024

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

DSS

TO

1 THE JUDICIAL MAGISTRATE
COURT UTHAMAPALAYAM THENI

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

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
UTHAMAPALAYAM,
THENI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.14091 of 2024

Date :30/09/2024



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