



CRL OP(MD). No.14372 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Akila,

2. Gandhimathi,

... Petitioners/ Accused No.2 TO 3

Vs

The Inspector of Police,
Thiruchitrambalam Police Station,
Thanjavur District.
Crime No.170/2024.

... Respondent/Complainant

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

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No.170/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused, who apprehend arrest at the hands of the



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respondent police for the offences punishable under Sections 296(b), 108 of BNS r/w. Section 4B(2) of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.170 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant's daughter viz., Rajeswari and A4 are husband and wife. She had extra marital affairs with A1 and that there was a dispute with their family members and hence, the deceased consumed Rat paste and subsequently, died. Hence, the case.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations in this case that defacto complainant's daughter consumed rat poison and died and it is stated that upon being suspected by her husband / A4 went to her father's house, later on, when the father's house was damaged, she went to the house in which the 1st accused is living with his family consisting of the present petitioners herein, wherein it is stated that he had driven her out of the house and therefore, she ate rat poison and the first accused in



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the garb of taking her to the hospital did not reach the hospital straight and immediately and considering the fact that the first petitioner is the wife of the A1 and 2nd petitioner is the mother of A1, I am inclined to enlarge the petitioners on anticipatory bail.

5. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif Cum Judicial Magistrate, Peravurani, 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 petitioners 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;

(c) the petitioners shall not tamper with evidence or witness either during 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 abscond, a fresh FIR can be registered under Section

229-A IPC.

sd/-

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/09/2024

Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

TRP

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, PERAVURANI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
THIRUCHITRAMBALAM POLICE STATION,
THANJAVUR DISTRICT.



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

+1 CC to M/s.S.GURUMOORTHY, Advocate (SR-10726[I] dated 02/09/2024)

ORDER
IN
CRL OP(MD) No.14372 of 2024
Date :30/08/2024

SS/GS/SAR- /10/09/2024/5P/6C

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