



CRL OP(MD). No.15086 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Saravanakumar,

... Petitioner/ Accused -1

Vs

1. The State of Tamilnadu,
Rep. by the Inspector of Police,
Natham Police Station, Dindigul District.
(Crime No.421/2024)..

... Respondent/ Complainant

2. Sumathi,
Door.No.D-17, 17 Avenue, Gladway,
Green City, Avaniyapuram, Madurai.

... 2nd Respondent /
Defacto Complainant

(R2 is Suo-Motu Impleaded as Per Order of the
Court District 09/09/2024 in Crl.Op(MD)No.15086 of 2024

For Petitioner : S.Arjun, Advocate.

For Respondent No.1 : Mr.A.Albert James,
Government Advocate (Crl.Side)

For respondent No.2 : Mr.A.Naresh Prabu

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS



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PRAYER :-

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For Anticipatory Bail in Crime No.421/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b), 323, 427 and 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime.No.421 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute, the petitioner herein harassed the defacto complainant both mentally and cruelly. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent Police and the learned counsel for intervenor and perused the materials available on record.

4. Considering nature of allegations against the petitioner and considering the argument of the learned the Counsel for the defacto complainant that the maintenance case is pending and even the interim maintenance application is being adjourned and the defacto complainant is at present finding it extremely difficult to maintain herself and the one year old child and on seeing the overall facts and circumstances of the case, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.



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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 copy of this order, before the learned Judicial Magistrate, Natham, 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 pay a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the second respondent / defacto complainant towards the maintenance of the child, which can be accounted in the name of Sumathi Paneer Selvam, SBI Avaniyapuram Branch, Madurai (A/c.No.40806375580, IFSC.No.SBIN0012743) appropriately at the time of executing the sureties;

(c) 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;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(e) the petitioner shall not abscond either during investigation or trial;

(f) 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;

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

sd/-
15/10/2024

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/ 11 / 2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1 THE JUDICIAL MAGISTRATE
NATHAM.

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

3 THE INSPECTOR OF POLICE,
NATHAM POLICE STATION, DINDIGUL DISTRICT.

<https://www.mhc.tn.gov.in/judis>



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

ORDER
IN
CRL OP(MD) No.15086 of 2024
Date :15/10/2024

PSP/ SVR /SAR /04.11.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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