



CRL OP(MD). No.15226 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.15226 of 2024

I.Abbupakker Sithick @ Abubacker Sithick

... Petitioner / Accused No.1

Vs

1. The State of Tamil Nadu

Represented by the Inspector of Police,
All Women Police Station,
Srirangam,
Trichy District.
(Crime No.15 of 2024)

... Respondent/Complainant

2. Noorul Rufali

(R2 suo motu impleaded as per
order dated 10.09.2024 in
Crl.OP(MD).No.15226 of 2024)

... Respondent/Defacto Complainant

For Petitioner : Mr.M.Iniyavan, Advocate

For R1 : Mr.A.Albert James,
Government Advocate
(Criminal Side)



CRL OP(MD). No.15226 of 2024

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: Mr.B.Ramnath, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No.15/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 498(A), 294(b) and 406 of IPC, in Crime No.15 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The entire complaint came to be given, since there was a matrimonial dispute between the parties. The matter was referred to the mediation centre to make an attempt to reconcile the dispute amicably. Unfortunately, the mediation effort failed.

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

4. Taking into consideration the facts and circumstances of the case and also considering the fact that a matrimonial dispute is involved, custodial interrogation may not be required. Hence, this Court is inclined to grant anticipatory bail to the



CRL OP(MD). No.15226 of 2024

petitioner with certain conditions.

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5. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate cum Additional Mahila Court, Trichy, 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition 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 appear 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



CRL OP(MD). No.15226 of 2024

WEB COPY

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 269 of BNS, 2023.

sd/-
18/11/2024

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

pal

TO

1. THE JUDICIAL MAGISTRATE CUM ADDITIONAL MAHILA COURT, TRICHY,
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIRANGAM,
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.M.INIYAVAN, Advocate (SR-14197[I] dated 19/11/2024)

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



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CRL OP(MD). No.15226 of 2024

ORDER
IN
CRL OP(MD) No.15226 of 2024
Date :18/11/2024

RK/ (25/11/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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