



CRL OP(MD). No.15696 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 19/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Maheshwari,

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu,
Rep. By, the Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
Crime No.263 of 2024..

... Respondent/Complainant

For Petitioner : Mr.R.Babu Jaganath,
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.263 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 109 of BNS, 2023, and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in



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Cr.No.263 of 2024, seeks anticipatory bail.

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2.The case of the prosecution is that due to previous enmity, the petitioner along with other accused are said to have abused the defacto complainant in filthy language and attacked her with a sword and caused injuries. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations that due to quarrel between the family members, A1 attacked the defacto complainant/injured with a sword and also considering the fact that the injured was discharged from the hospital and the petitioner/A4 being the mother of A1, 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 copy of this order, before the Additional Mahila Court, Ramanathapuram 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



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card or Bank pass Book to ensure their identity;

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(b)the petitioner shall report before the respondent police daily at 10.30 a.m, for a period of two weeks and thereafter, 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;

(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



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TO
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- 1 THE ADDITIONAL MAHILA JUDGE,
RAMANATHAPURAM DISTRICT.
- 2 THE INSPECTOR OF POLICE,
BAZAAR POLICE STATION, RAMANATHAPURAM DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.BABU JAGANATH, Advocate (SR-11409[I] dated 19/09/2024)

ORDER
IN

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Date :19/09/2024

SS/VR/SAR- /10/10/2024/4P/5C

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