



CRL OP(MD). No.15902 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1.A. Nambiraja
2.P.Arumugam
3.A.Muthulakshmi
4.Jeyaperumal

... Petitioners/ Accused No.1 to 4

Vs

1. The State of Tamilnadu,
Rep. by the Inspector of Police,
Awps Palayamkottai Police Station,
Tirunelveli City.
(Crime No. 35/2024.)

... Respondent/Complainant

2. Malathi

... 2nd Respondent

(R2 is is suo-motu Impleaded as per
order of this Court dated 23.09.2024 in
Crl.OP(MD)No.15902 of 2024)

For Petitioner : M/s.A. Joseph Jerry, Advocate.

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

For Intervener : Mr.M.Maharaj, Advocate.



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

For Anticipatory Bail in Crime No. 35 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ A1 to A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417, 294(b) and 506(i) of IPC, in Cr.No.35 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the first petitioner had a love affair with the defacto complainant for the past 3 ½ years. When the same came to the knowledge of the defacto complainant's parents, they made marriage talk with the parents of the first petitioner. However, they abused the defacto complainant and their family members by calling their caste and also threatened them with dire consequences. Hence, the complaint.

3.Heard both sides.

4. The learned counsel appearing on behalf of the defacto complainant would oppose this petition by stating that even in the mediation, the petitioner did not come up with any proper solution. The defacto complainant is now left in lurch.

5.Considering the nature of the allegations in this case that the petitioner is said to have had a relationship with the defacto complainant and he has also



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performed a kind of marriage, but, however, after performing the ceremony, he is not even talking to the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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-I, Tirunelveli 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 daily at 06.00 p.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



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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/-
24/10/2024

/ TRUE COPY /

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

DSS

TO

1. The Judicial Magistrate-I,
Tirunelveli District.
- 2.Do-Through,
The Chief Judicial Magistrate,
Tirunelveli District..
3. The Inspector of Police,
AWPS Palayamkottai Police Station,
Tirunelveli City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

<https://www.hmhc.in.gov.in/judis>



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+1 CC to M/s.A.JOSEPH JERRY, Advocate (SR-13186[I] dated 25/10/2024)

ORDER
IN
CRL OP(MD) No.15902 of 2024
Date : 24/10/2024

ED/ /SAR- (02/12/2024) 5P / 6C

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