



CRL OP(MD). No.16112 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16112 of 2024

1. M Rajendiran,
2. J Jai Alias Jayakumar,
3. S Deivam Alias Devamani, ... Petitioners/ Accused No.2,3 and 4

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
AWPS Fort Police Station,
Trichy District.
(Crime No.12 of 2024). ... Respondent/Complainant

For Petitioner : M/s. Jayabalan.K.,
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. 12 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417, 376(1) and 506(i) IPC in Crime No.12 of 2024, seek anticipatory bail.

2.The case of the prosecution is that on promising to marry the defacto complainant, the A1 had sexual relationship with her and subsequently, refused to marry her. Hence, the case.

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

4.Considering the nature of allegations that A1 is said to have had a relationship with the defacto complainant and by promising to marry her had physical relationship and considering the fact the these petitioners are only the father, sister and cousin of the said the first accused, I am inclined enlarge the petitioners on anticipatory bail.



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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 Additional Mahila Court, Trichy, 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 1 and 2 shall report before the respondent police daily at 10.30 am for a period of two weeks and 3rd petitioner shall appear before the respondent Police daily at 10.30am, for a period of one week and thereafter, as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 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/-
25/09/2024

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/10/2024

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

TRP
TO

- 1 THE ADDITIONAL MAHILA JUDGE,
TRICHY.
 - 2 THE INSPECTOR OF POLICE,
AWPS FORT POLICE STATION, TRICHY DISTRICT.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.K.JAYABALAN, Advocate (SR-11723[I] dated 25/09/2024)



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ORDER
IN
CRL OP(MD) No.16112 of 2024
Date :25/09/2024

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

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