



CRL OP(MD). No.16169 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Muthukumar

... Petitioner/ Accused

Vs

1. State of Tamilnadu,
Rep. By The Inspector of Police
All Women Police Station,
Palayankottai, Tirunelveli.
Cr.No. 32/2024.

... Respondent/Complainant

2. Vidhya
(R2 is Suo-Motu Impleaded as Per Order of the
Court Dated 25.09.2024 in Crl.OP(MD).16169 of
2024.

... 2nd Respondent

For Petitioner	: Mr.S. Selvakrishnan Samiya Subbaiya Advocate.
For Respondent No.1	: Mr.A.Albert James, Government Advocate (Crl.Side)
For respondent No.2	: Mr.T.Dinesh

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER:-

For Anticipatory Bail in Crime No. 32 of 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) and 506(i) IPC in Crime.No.32 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that there was a matrimonial dispute between the petitioner and the defacto complainant and the petitioner herein has demanded additional dowry and also harassed her. Hence, the complaint.

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

4. The parties were referred to Mediation. The Mediator report reveals that the matter has been settled and the settlement of agreement is also forwarded to



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the court. The same shall form part of the record. As per the agreement, portion of Jewels already has been handed over and the rest will be handed over at the time of quashing of the case by way of compromise. The said terms of agreement shall form part of the record. The learned counsel appearing for the defacto complainant would submit that the jewels are very much necessary and at least they should be handed over before the grant of anticipatory bail once the settlement is entered into the court. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioner on anticipatory bail 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 learned Judicial Magistrate No.I, Tirunelveli 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;



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(b)the petitioner shall report 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 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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/11/2024

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

TRP



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TO
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- 1 THE JUDICIAL MAGISTRATE NO.I
TIRUNELVELI.
 - 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DISTRICT.
 - 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, PALAYANKOTTAI,
TIRUNELVELI.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.S.SELVAKRISHNAN, Advocate (SR-13503[I] dated 30/10/2024)

ORDER
IN
CRL OP(MD) No.16169 of 2024
Date :30/10/2024

SS/SAR- /25/11/2024/ 5P/6C

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