



CRL OP(MD). No.16386 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16386 of 2024

Bavani,

... Petitioner/ Accused No.2

Vs

**The State of Tamil Nadu,
The Inspector of Police,
All Women Police Station,
Dindigul Rural,Dindigul District.
(In Crime No.31 of 2024)**

... Respondent/Complainant

For Petitioner : M/s.K.Muthurakkan, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Bail in Crime No.31of2024 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), 494 and 506(i) IPC in Crime.No.31 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein had illicit relationship with the defacto complainant's husband. Hence, the complaint.



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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 nature of allegation against the petitioner is that she was developing an illicit relationship with the defacto complainant's husband. As far as the other accused is concerned the matter is pending before the mediation. This petitioner is accused No.2, who is said to be having an illicit relationship with A1. Considering the fact that the petitioner has filed an affidavit of undertaking without prejudice to her contention that she is not proposing to live with the first accused and she will stay away from the defacto complainant and her family including the first accused, 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.III, Dindigul, 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

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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 10.30 am 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/-
01/10/2024

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/ 10 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

1 THE JUDICIAL MAGISTRATE,NO.III, DINDIGUL.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
DINDIGUL RURAL, DINDIGUL DISTRICT

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.MUTHURAKKAN, Advocate (SR-12136[I] dated 03/10/2024)

ORDER
IN

CRL OP(MD) No.16386 of 2024

Date :01/10/2024

PSP/ JGB /SAR /25.10.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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