



CRL OP(MD). No.16406 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.16406 of 2024

1. Jerin Berbet

2. Rajam Daisy

3. John Manohar

... Petitioners/1st to 3rd Accused

Vs

1 The Sub Inspector of Police,
All Women Police Station,
Kanyakumari,
Kanyakumari District
Cr No.30 of 2024.

... Respondent/Complainant

(*)2.Preethi Singh

... 2nd Respondent

(*)(R2 is suo-motu impleaded as per order of the court
dated 27.09.2024 in CRL OP(MD).16406/2024 by DBCJ)

For Petitioner	:	Mr.S.C.Herold Singh, Advocate
For R1	:	Mr.A.Albert James, Government Advocate (Crl.Side)
For R2	:	M/s.K.Sasi Prabha, 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.30 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 498(A), 294(b) and 406 IPC r/w Sections 3(1), 4 and 6 of Dowry Prohibition Act and Section 4 of TNPHW Act in Crime No.30 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner married the defacto complainant in the year 2017. Thereafter it is alleged that the defacto complainant was treated with cruelty and there was also demand for dowry.

3. Heard the learned counsel appearing on either side.

4. Taking into consideration the facts and circumstances of the case and also considering that it is a matrimonial dispute and also taking note of the fact that the second and third petitioners were already granted anticipatory bail by this Court on 27.09.2024, this Court is inclined to grant anticipatory bail to the first petitioner. Accordingly, this criminal original petition is ordered and the first petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before



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the learned Judicial Magistrate, Additional Mahila Court, Nagercoil, Kanyakumari

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District, on condition that the petitioners 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the first petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the first 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.

[c] the first petitioner shall report before the respondent police daily at 10.30 a.m for a period of one week and thereafter, as and when required for interrogation.

[d] the first petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the first petitioner shall not abscond either during investigation or trial;

[f] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the first petitioner in accordance with law as if the conditions have been imposed and the first petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



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Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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[g] if the accused thereafter absconds, a fresh FIR can be registered under
Section 269 of BNS 2023.

sd/-
16/12/2024

/ TRUE COPY /

/01/2025

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

LR

TO

1 THE JUDICIAL MAGISTRATE,
ADDITIONAL MAHILA COURT, NAGERCOIL,
KANYAKUMARI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KANYAKUMARI, KANYAKUMARI DISTRICT.

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

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-15498[I] dated 17/12/2024)



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ORDER

IN

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Date :16/12/2024

RS/SKN/SAR-(02.01.2025) 5P 6C

Madurai Bench of Madras High Court is issuing
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