



CRL OP(MD). No.16382 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16382 of 2024

1. Prithvi Kumar,

2. Vijayakumar,

... Petitioners/ A1 & A2

Vs

State Rep by its,
The Inspector of Police,
Elumalai Police Station,
Madurai District.
In Crime No.189/2024.

... Respondent/Complainant

For Petitioner : M/s.Karthick Raja.V,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.189/2024 on the file of the respondent Police.



CRL OP(MD). No.16382 of 2024

ORDER: The Court made the following order :-

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The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 127(2), 115(2), 303(2) and 351(2) of BNS Act r/w Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, in Crime No.189 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The defacto complainant is the wife of the second petitioner. The case of the prosecution is that due to matrimonial dispute between them and in the meanwhile, the defacto complainant's daughter and one Vishnuthevan loved each other and their marriage was solemnized on 24.06.2024 without the knowledge of the petitioners and the same was questioned by the petitioners, there was a wordy quarrel that arose between them.

3.Heard. Perused the materials available on record including the First Information Report.

4.Considering the nature of occurrence which arose between the members of



CRL OP(MD). No.16382 of 2024

the family and considering the fact that the injured was discharged from the hospital, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions:

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Usilampatti, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.



CRL OP(MD). No.16382 of 2024

WEB COPY

[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 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
27/09/2024

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/10/2024

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

SJI



CRL OP(MD). No.16382 of 2024

TO
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- 1 THE JUDICIAL MAGISTRATE NO.II
USILAMPATTI.
 - 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
ELUMALAI POLICE STATION,
MADURAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.V.KARTHICK RAJA, Advocate (SR-11929[I] dated 30/09/2024)

ORDER
IN
CRL OP(MD) No.16382 of 2024
Date :27/09/2024

SS/MMS/SAR- /16/10/2024/5P/6C

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