



CRL OP(MD). No.16975 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. S.Veni @ Krishnaveni,

2. K.Ramya,

3. B.Vijay @vijaya Kumar,

... Petitioners/ Accused Nos.1 to 3

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
K.Pudhur Police Station, Madurai City,
Madurai District
(Crime No. 435 of 2024).

... Respondent/Complainant

For Petitioners : Mr.K.Dinesh,
Advocate.

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

For Intervener : Mr.N.Jeyaram Sidharthan

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C



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PRAYER :-

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For Anticipatory Bail in Crime No. 435 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2) and 351(3) of BNS r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002 in Crime No.435 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 26.09.2024, the petitioners herein abused the defacto complainant with filthy language by using her caste name and assaulted her and due to which, the quarrel arose between them. Hence, the complaint.

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

4. Considering the nature of allegations that it is a case in counter and



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considering the submission made by the learned counsel appearing for the petitioners that the petitioners did not intentionally using any word relating to the caste of the defacto complainant and her husband and also considering the submission made by the learned counsel appearing for the petitioners that the petitioners have given an undertaken that they will file an affidavit before the trial Court without prejudice to their contentions, 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.VI, Madurai 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 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.



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[b] the petitioners shall report before the respondent Police, daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall file an affidavit before the trial Court that they will not in any manner abuse the defacto complainant and her husband by using the caste name in future.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners 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 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].



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[g] If the accused thereafter abscond, a fresh FIR can be registered under Section

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229A IPC.

sd/-

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/10/2024

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

TSG
TO

- 1 THE JUDICIAL MAGISTRATE NO.VI
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE,
K.PUDHUR POLICE STATION, MADURAI CITY,
MADURAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.16975 of 2024

Date :04/10/2024

SS/JGB/SAR- /18/10/2024/ 5P/5C

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