



CRL OP(MD). No.16885 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/11/2024

PRESENT

The Hon`ble Mr.Justice **N.ANAND VENKATESH**

CRL OP(MD). No.16885 of 2024

Vignesh

... Petitioner/ Accused No.1

Vs

1. The State of Tamil Nadu,
Rep by the Inspector of Police,
All Women Police Station,
Kanyakumari,
Kanyakumari District.
Crime No.29/2024.

2. Yasodha
(*R2 is suo-motu impleaded by this Court vide
order dated 03.10.2024)

... Respondents/Complainants

For Petitioner : M/s. Balaji.A,

For R1 : Mr.A.Albert James,
Government Advocate (Crl.Side)

For R2 : No Appearance

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER:-

For Anticipatory Bail in Crime No. 29 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 498(A), 294(b), 323, 406 IPC and Sections 3(1) and 4 of Dowry Prohibition Act and Section 4 of TNPHW Act in Crime No.29 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent police.

3. When this case was taken up for hearing today, report of the Mediator was placed before this Court. It is seen that the parties have reached an amicable settlement. They have in fact, entered into a settlement agreement, dated 06.11.2024, which was signed by the parties and their respective Counsel. The same was taken into consideration by the Mediator and the mediation report has been filed before this Court.



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4. In the light of the above development, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and the 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 the learned **Judicial Magistrate, Additional Mahila Court, Nagercoil, Kanyakumari District**, on condition that the petitioner shall execute a bond for a sum of **Rs.5000/- (Rupees Five 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 petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] 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.

[c] the petitioner shall report before the respondent police as and when required for interrogation.

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



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[e] the 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 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;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
13/11/2024

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/11/2024

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 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KANYAKUMARI, KANYAKUMARI DISTRICT.



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

+1 CC to M/s.A.BALAJI, Advocate (SR-13963[I] dated 13/11/2024)

ORDER
IN
CRL OP(MD) No.16885 of 2024
Date :13/11/2024

SS/GSV/SAR- /21/11/2024/ 5P/6C

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