



CRL OP(MD). No.17155 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17155 of 2024

D T James Benedict,

... Petitioner/ Accused (Sole Accused)

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
(Crime No. 207 of 2024).

... Respondent/ Complainant

For Petitioner : M/s.R.Anand, Advocate.
For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)
For intervenor : Mr.S.Sankar, Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.207 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioner/accused, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Sections 329(3), 296(b), 351(3), 79 of BNS, 2023 and Section 67A of Information Technology Act, 2000 in Crime.No.207 of 2024, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent Police and the learned counsel for the intervenor and perused the materials available on record.

3. The learned counsel for the petitioner would submit that even though the earlier petition was dismissed recording that there are six previous cases is should be reconsidered inasmuch as they are all old cases of the year 2008 and the petitioner does not have any fresh case. He would further submit that in this case the past conduct of the victim has to be taken into account when she had chosen to live together with the petitioner and only because of strain in the relationship suddenly now she is making all kinds of false allegations and therefore, the petitioner should be enlarged on anticipatory bail.

4. Considering both merits as well as the previous cases, the earlier anticipatory bail Petition was dismissed. Even considering the present case alone the victim alleges that the petitioner threatened her for making a physical relationship, it cannot be at the outset itself decided as false and relief can be granted. When the prosecutrix is making serious allegations against the petitioner, this is not a fit case for enlarging



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the petitioner on anticipatory bail.

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4. Accordingly, this Criminal Original Petition is dismissed.

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.

TRP

TO

1 THE INSPECTOR OF POLICE,
MUKKUDAL POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.17155 of 2024

Date :15/10/2024

PSP/ SVR /SAR /29.10.2024/ 3P/ 3C

Madurai Bench of Madras High Court is issuing certified
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