



CRL OP(MD). No.17731 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17731 of 2024

1.Seneka @ Sneka,
W/o.Selvam

2.Selvam @ Selvakumar,
S/o.Sakthivel

... Petitioners/ A2 & A3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station,
Lalgudi,
Trichy District
(Crime No.32/2024)

... Respondent/Complainant

For Petitioners : M/s.G.Mathavan,
Advocate

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



CRL OP(MD). No.17731 of 2024

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No.32/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A2 and A3, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 296(b), 85 and 351(2) of BNS, 2023 in Crime No.32 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 1st accused is the husband of the de-facto complainant, and the 1st petitioner/2nd accused is the wife of the 2nd petitioner/3rd accused. The 1st petitioner/A2 was having illicit affair with the 1st accused, and had attacked the de-facto complainant. Hence, this case.



CRL OP(MD). No.17731 of 2024

WEB COPY
of the case.

3. Heard the learned counsel on either side, and perused the material records

4. Considering the nature of the allegations in this case that the 1st petitioner/Seneka @ Sneka was supposed to be having an illicit affair with the 1st accused, and considering the argument of the learned counsel for the petitioners that the 1st petitioner herein was originally an employee and now, she has even left the employment, and is residing separately along with her husband, and considering the fact that the petitioners undertake to file an affidavit that the 1st petitioner is residing separately, and will not have any contact with the 1st accused, even as an employee, I am of the view that this is the fit case for enlarging the petitioners on anticipatory bail.

5. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Lalgudi, Trichy District, 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 to the Police Officer, who intends



CRL OP(MD). No.17731 of 2024

to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

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(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) As undertaken, **the petitioners shall file an affidavit that the 1st petitioner is residing separately, and will not have any contact with the 1st accused, even as an employee**

(c) the petitioners 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 the interrogation.

(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;



CRL OP(MD). No.17731 of 2024

WEB COPY

(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]*; and;

(g)if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
18/10/2024

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/11/2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Judicial Magistrate,
Lalgudi, Trichy District
2. Do-Through The Chief Judicial Magistrate,
Trichy District.



CRL OP(MD). No.17731 of 2024

WEB COPY

3. The Inspector of Police,
All Women Police Station,
Lalgudi,
Trichy District

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.17731 of 2024
Date : 18/10/2024

SI -(08.11.2024) 6P/ 5C

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