



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17829 of 2024

1. N Jainulabdeen, ... Petitioners/ Accused No.1
2. Raiyanathu Ammal,

(P2 Already granted anticipatory bail by this Court dated 19.10.2024)

Vs

1. The State of Tamil Nadu
Rep By The Inspector of Police,
Awps Police Station,
Orathanadu,Oranthanadu Taluk,
Thanjavur District.
Cr.No.03/2024.

... Respondent/ Complainant

2. J.Ragumathnisha,
Mela Ulur, Orathanadu (Tk),
Thanjavur District.

(R2 is suo-motu impleaded as per order of this Court dated 19.10.2024 in
Crl.OP(MD)No.17829 of 2024 by DBCJ)

... Respondent/Defacto Complainant

For Petitioner : S.Atham Ali,
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 Cr.No.03/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 324 and 506(1) of IPC, in Cr.No.3 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are the husband and wife. The petitioner is said to have harassed the defacto complainant by demanding additional dowry and drove her out from the matrimonial home. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations against the petitioner and considering the fact that even though the defacto complainant being informe she is not present before this Court, considering the over all facts and circumstances of the case and considering the argument of the learned counsel for the petitioner that the petitioner is ready and willing to live together and there are three children out of wedlock bond, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Orathanadu, Thanjavur District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) 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;

(b) the petitioner 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;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner 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 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;

<https://www.mhc.tn.gov.in/judis>



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

sd/-
24/10/2024
/ TRUE COPY /
/ /2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1. The Judicial Magistrate,
Orathanadu, Thanjavur District..
- 2.Do Through
The Chief Judicial Magistrate,
Thanjavur.
3. The Inspector of Police,
Awps Police Station,
Orathanadu,Oranthanadu Taluk,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.17829 of 2024
Date :24/10/2024

KVL/23.11.2024 4P/5C

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

<https://www.mhc.tn.gov.in/judis>