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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.18120 of 2024

Valimeganathan

... Petitioner/ A1

Vs

The Inspector of Police,
Thiruchitrambalam Police Station,
Thanjavur District.
Crime No.170 of 2024

... Respondent/Complainant

For Petitioner : Mr.S.Gurumoorthy,
Advocate.

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

PRAYER :- For Anticipatory Bail in Crime No.170 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 296(b), 108 of BNS r/w. Section 4B(2) of TamilNadu Prohibition of Harassment of Women Act, in Crime No.170 of 2024,



seeks anticipatory bail.

2. The case of the prosecution is that the deceased had extra marital affair with the petitioner herein. Since the accused person harassed the daughter of the defacto complainant, she attempted suicide by eating rat poison and subsequently, died. Hence, the complaint.

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

4. It is alleged that the deceased had extramarital affair with petitioner herein and on account of which, the deceased's husband and in-laws ill-treated her and therefore, she came near the house of the petitioner and consumed rat poison. The allegation against this petitioner is that being the Paramour, he took her to the hospital in the bike, but without going to the hospital straight away in the motorbike, he delayed and caused the death of the deceased. Considering the overall facts and circumstances of the case, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of his arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate No.II, Peravurani, 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 am for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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;

(f) if the accused thereafter absconds, a fresh FIR can be registered under

Section 229-A IPC.

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

jbr

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
NO.II, PERAVURANI.

2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR
DISTRICT.

3 THE STATE REP.BY
THE INSPECTOR OF POLICE,
THIRUCHITRAMBALAM POLICE STATION,
THANJAVUR DISTRICT.

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

CRL OP(MD) No.18120 of 2024
Date :22/10/2024

KVL/14.11.2024 4P/5C

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