



CRL OP(MD). No.18766 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18766 of 2024

Amjathkhan

... Petitioner/ Accused 1

Vs

The State of Tamil Nadu,
Rep. By, the Inspector of Police,
All Women Police Station,
Nilakottai,
Dindigul District.
(Crime No.21 of 2024).

... Respondent/Complainant

For Petitioner : M/s.Saravanan.P,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.21 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on



CRL OP(MD). No.18766 of 2024

09.10.2024 for the offences punishable under Sections 498(A), 294(b), 323, 313, 506(i), 109 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2003 and Section 4 of Dowry Prohibition Act in crime No. 21 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to matrimonial dispute, the petitioner herein has harassed the defacto complainant and also demanded additional dowry from her. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. Considering the nature of allegations that the petitioner is said to have ill treated, committed cruelty, physically attacked and threatened his wife / defacto complainant, which also resulted in miscarriage and considering the fact that the petitioner is in prison from 9/10/2024, I am inclined to enlarge the petitioner on bail.

5. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 learned Judicial Magistrate, Nilakkottai, Dindigul District.

(i)the sureties shall affix their photographs and left thumb impression in the



CRL OP(MD). No.18766 of 2024

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surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall appear before the respondent Police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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].

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

sd/-
29/10/2024

/ TRUE COPY /

29/10/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO
1 THE JUDICIAL MAGISTRATE,
NILAKKOTTAI, DINDIGUL DISTRICT.



CRL OP(MD). No.18766 of 2024

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
NILAKOTTAI, DINDIGUL DISTRICT.

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

+1 CC to M/s.P.SARAVANAN, Advocate (SR-13327[I] dated 29/10/2024)

ORDER IN
CRL OP(MD) No.18766 of 2024
Date :29/10/2024

SA/SAR. /29.10.2024/4P/7C

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