



CRL OP(MD). No.18904 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18904 of 2024

S.Divya

... Petitioner / Accused No.3

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
CCB, Madurai City.
(Crime No.43 of 2024)

... Respondent/Complainant

For Petitioner : M/s.Janakiramulu.V,
Advocate

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor
(Criminal Side)

For Intervenor : Mr.N.Sathish Babu

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

PRAYER :-

For Anticipatory Bail in Crime No.43/2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner/Accused No.3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 and 34 of IPC, in Crime No.43 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the other accused threatened the de-facto complainant. Hence, the complaint.

3. Heard the learned counsel for the petitioner, the learned counsel for the intervenor and the learned Additional Public Prosecutor (Crl. Side), and perused the material records of the case.

4. The learned counsel appearing on behalf of the intervenor objects for grant anticipatory bail. He submits that the petitioner is very much in the thick of things and she was also present on the day of occurrence and also threatened the de-facto complainant.

5. Considering the nature of the allegations in this case that the de-facto complainant is said to have undertaken construction work on behalf of the



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petitioner and her husband and after getting the big showroom constructed, a sum of Rs.50,00,000/- is due to be paid to the de-facto complainant which was never paid and considering the fact that the petitioner's husband, who said to be the owner of the land, said to be arrested and only considering the role played by this petitioner that she accompanied the husband on the day of occurrence and threatened the de-facto complainant, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate Court No.I, Madurai**, on condition that the petitioner 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 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;



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(b) the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of three weeks and thereafter, as and when required for the 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

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

sd/-
30/10/2024

/ TRUE COPY /

/11/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL



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TO
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- 1 THE JUDICIAL MAGISTRATE NO.I
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI.
- 3 THE INSPECTOR OF POLICE,
CCB,
MADURAI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.V.JANAKIRAMULU, Advocate (SR-13515[I] dated 30/10/2024)

ORDER
IN

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Date :30/10/2024

SS/SAR- /25/11/2024/ 5P/6C

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