



CRL OP(MD). No.20441 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Prabhu

... Petitioner/ Accused No.1

Vs

State of Tamil Nadu Rep by.
The Inspector of Police,
Samayanallur Police Station,
Madurai District.
(Crime No.104 of 2024)

...Respondent/ Complainant

For Petitioner : Mr.K.Sivabalan
Advocate.

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

For Intervenor : Mr.A.John Vincent, Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.104 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.1, who apprehends arrest at the hands of the



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respondent police for the offences punishable under sections 109, 294(b), 324, 498(A) & 506(ii) IPC r/w Section 4 of the Tamil Nadu Prohibition Harassment of Women Act in Crime No.104 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner married the defacto complainant and out of wedlock, there were two male children. The defacto complainant has alleged that the petitioner along with his mother and uncle started to demand dowry from the defacto complainant and the first accused treated the defacto complainant with utmost cruelty. In view of the same, the defacto complainant was forced to leave the matrimonial home and she is taking care of the two children.

3. There are totally three accused persons in this case. The petitioner has been arrayed as A1. This Court attempted to resolve the dispute amicably by referring the parties to mediation. The parties were not able to reach settlement and hence, the mediation report has been sent to the effect that 'the parties have not reached an agreement'.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

5. Taking into consideration the facts and circumstances of the case and the nature of the allegations that have been made against the petitioner and also considering the fact that the parties have not reached any settlement and the



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matrimonial dispute is involved in this case and the life of two children are at stake, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of 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, Vadipatti 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police on every Monday and Friday at 10.30 a.m., for a period of eight 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



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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.

sd/-
25/11/2024

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/ 12 / 2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE JUDICIAL MAGISTRATE, VADIPATTI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE,
SAMAYANALLUR POLICE STATION,
MADURAI DISTRICT.

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



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+1 CC to M/s.K.SIVABALAN, Advocate (SR-14491[I] dated 25/11/2024)

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ORDER

IN

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Date :25/11/2024

PSP/ VR /SAR /06.12.2024/ 5P/ 6C

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