



CRL OP(MD). No.19357 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19357 of 2024

1. Dilipan,

2. Muthulakshmi,

3. Remala,

... Petitioners/ Accused Nos.1 to 3

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
All Women Police Station,
Usilampatti,
Madurai District.
Crime No. 26/2022.

... Respondent/Complainant

For Petitioners : Mr.S.Balaji,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



CRL OP(MD). No.19357 of 2024

PRAYER:-

For Anticipatory Bail in Crime No.26 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused Nos.1 to 3, who apprehend arrest at the hands of the respondent Police for the offence under Sections 498(a), 294(b), 323, 506(i) of IPC and Section 4 of Dowry Prohibition Act in Crime No.26 of 2022 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that there was a matrimonial dispute between the *defacto* complainant and Accused No.1. Earlier, the petitioners filed an anticipatory bail petition in Crl.O.P.(MD).No.20818 of 2022 and the anticipatory bail was granted by an order dated 29.11.2022. Even after the order was passed, there was some efforts taken by the elders to amicably resolve the dispute. Therefore, the sureties were not executed. The efforts failed and hence, the present anticipatory bail petition has been filed before this Court.

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

4. Taking into consideration the facts and circumstances of the case and also considering the fact that a matrimonial dispute is involved in this case and custodial



CRL OP(MD). No.19357 of 2024

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interrogation may not be required in this case, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

5. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Usilampatti, Madurai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police every Friday at 06.30 p.m. for a period of four weeks and thereafter, as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial;



CRL OP(MD). No.19357 of 2024

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[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 petitioners 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/-
11/11/2024

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/11/2024

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

TSG

TO

1 THE JUDICIAL MAGISTRATE NO.I
USILAMPATTI, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



CRL OP(MD). No.19357 of 2024

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
USILAMPATTI, MADURAI DISTRICT.

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

+1 CC to M/s.S.BALAJI, Advocate (SR-13849[I] dated 12/11/2024)

ORDER
IN

CRL OP(MD) No.19357 of 2024
Date :11/11/2024

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

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