



CRL OP(MD). No.19705 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19705 of 2024

S.Sudhakar

... Petitioner/1st Accused

Vs

The Inspector of Police,
All Women Police Station,
Thirumangalam,
Madurai District.
Crime No. 24 of 2024.

... Respondent/Complainant

For Petitioner : M/s. Aravind Raj, Advocate
For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.24 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 376, 313 and 109 of IPC in Crime No.24 of 2024 on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD). No.19705 of 2024

WEB COPY

2. The case of the prosecution is that the petitioner had love affair with the defacto complainant and had sexual intercourse with her with a false promise to marry her. Later, the petitioner refused to marry her. In the mean time, the defacto complainant became pregnant and the fetus was also aborted.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent police.

4. Taking into consideration the facts and circumstances of the case and considering the age of the petitioner and the victim girl, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and 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, Thirumangalam, Madurai District, 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 fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner and the sureties shall affix their photographs and Left Thumb



CRL OP(MD). No.19705 of 2024

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Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] the petitioner shall report before the respondent police every Friday at 05.30 p.m for a period of six weeks and thereafter, as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
21/11/2024

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/11/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR



CRL OP(MD). No.19705 of 2024

TO

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1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM, MADURAI DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

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

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

+1 CC to M/s.R.ARAVIND RAJ, Advocate (SR-14341[I] dated 21/11/2024)

ORDER
IN

CRL OP(MD) No.19705 of 2024

Date :21/11/2024

RS//SAR-(23.11.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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