



CRL OP(MD). No.19765 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19765 of 2024

Shanmugavalli

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai.

Crime No. 435 of 2024

... Respondent/ Complainant

For Petitioner : M/s.C.Manivannan, Advocate
For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)
For Intervenor : Mr.D.Balamurugapandi, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 435 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 296(b), 115(2), 351(2) of BNS Act and Section 4 of Women Harassment Act in Crime No.435 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 is the husband of the defacto complainant. He is said to have developed an illicit relationship with the



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petitioner/A2. The defacto complainant came to know of the same went to the house of the petitioner on 04.11.2024 and questioned. She was abused in filthy language, criminally intimidated and attacked with hands by A1 and A2.

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

4.Taking into consideration of the facts and circumstances of the case and the manner in which, the incident had taken place, this Court is inclined to grant anticipatory bail to the petitioner.

5.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 No.6, Madurai, 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



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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 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 229-A IPC.

sd/-
15/11/2024

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

PNM

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TO

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1 THE JUDICIAL MAGISTRATE NO.6, MADURAI.

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

3 THE INSPECTOR OF POLICE, NAGAMALAI PUDUKOTTAI POLICE STATION,
MADURAI.

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

+1 CC to M/s.C.MANIVANNAN, Advocate (SR-14090[I] dated 15/11/2024)

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-14091[I] dated 15/11/2024)

ORDER

IN

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Date :15/11/2024

RS//SAR-(23.11.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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