



CRL OP(MD). No.20761 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20761 of 2024

1.K.S.Raja

2.Eswari @ Angalaeswari

3.Puvana @ Puvaneshwari

... Petitioners / Accused
(Rank Not Known)

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
All Women Police Station,
Manaparai,
Trichy District.
(Crime No.43 of 2024)

... Respondent/Complainant

For Petitioners: Mr.M.Pitchai Muthu,
Advocate

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

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

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.20761 of 2024

PRAYER:-

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

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 87 of BNS and Sections 5(m) r/w. 6(1) of POCSO Act and Section 3(1)(s), 3(i)(r), 3(2)(va) and 3(1)(w)(i) of SC/ST(POA) Act, 1989, in Crime No.43 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that A1 is said to have committed sexual assault on the victim girl who is studying III standard. After the incident, the petitioners, who are the parents and sister of A1, are said to have abused the defacto complainant and her family in filthy language and insulted them.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and considering the allegations made in the FIR and also the statement recorded from the victim girl under Section 183 of BNSS, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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CRL OP(MD). No.20761 of 2024

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5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Sessions Judge, Mahila Court, Trichy, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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.

[b] the petitioners shall report before the respondent police on every Monday and Friday at 10.30 a.m. for a period of 4 weeks and thereafter, as and when required.

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



CRL OP(MD). No.20761 of 2024

WEB COPY

[d] the petitioners 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 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].

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

sd/-
28/11/2024

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

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TO

1. The Sessions Judge, Mahila Court, Trichy,
2. The Inspector of Police,
All Women Police Station,
Manaparai,
Trichy District.



CRL OP(MD). No.20761 of 2024

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.20761 of 2024
Date :28/11/2024

RK/SKN(06/12/2024) 5P / 4C

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