



CRL OP(MD). No.21265 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 05.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Jeyanthi

2.Prasath @ Prasanth

... Petitioners / Accused 1 and 3

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Batlagundu Police Station,
Dindigul District
(Crime No.438 of 2024)

... Respondent/Complainant

For Petitioners : Mr.D.Senthil, Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.438 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



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the alleged offences under Sections 318(2), 77, 61(2) and 115(2) of BNS, 2023 read with Section 67 of Information Technology Act, 2000 in Crime No.438 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that A4 is the husband of the de-facto complainant. They were married for eight years and there were no issues. A4 is said to have informed A1 to A3 about this, since they were living in the opposite house. The de-facto complainant went to the house of A1 to A3, and she was informed that if she consumes a tablet, she can conceive a child. Accordingly, the de-facto complainant consumed the tablet and fainted. She was taken to the bed and a photo was taken as if she slept along with A2. Thereafter, the de-facto complainant was threatened by A1 and demanded a sum of Rs.5,00,000/- (Rupees Five Lakhs only), failing which the photo will be posted in the social media. There are totally four accused persons in this case, and the petitioners have been arrayed as A1 and A3.

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 stand taken by the petitioners to the effect that there was an illegal intimacy between A2 and the de-facto complainant and the same was questioned by A1 and A4, and also considering the fact that there is divorce petition filed by A4



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against the de-facto complainant, which is pending in H.M.O.P.No.166 of 2024, wherein, A2 has also been arrayed as the respondent, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 Judicial Magistrate Court, Nilakkottai, on condition that the petitioners 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 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 appear before the respondent police as and when required for the 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.



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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 petitioners 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.

sd/-
05/12/2024

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

MKN

TO

1 THE JUDICIAL MAGISTRATE
NILAKKOTTAI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
BATLAGUNDU POLICE STATION,
DINDIGUL DISTRICT.



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

+1 CC to M/s.D.SENTHIL, Advocate (SR-14997[I] dated 06/12/2024)

ORDER
IN
CRL OP(MD) No.21265 of 2024
Date :05/12/2024

PSP/ VR /SAR /11.12.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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