



CRL OP(MD). No.21529 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21529 of 2024

1. Sivakumar

2. Vijayalakshmi

... Petitioners/ Accused No.2 & 3

Vs

The State of Tamilnadu,
Rep By, The Inspector of Police,
All Women Police Station,
Jeeyarpuram,
Trichy District.
Cr.No.30 of 2024..

... Respondent/Complainant

For Petitioners : Mr.Lenin Kumar, Advocate

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

For Intervener : Mr.B.Jameel Arasu, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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



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PRAYER :-

For Anticipatory Bail in Cr.No.30 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 494, 406, 417, 506(i), 498 (A) IPC and Section 66E of Information Technology (Amendment) Act, 2008, in Crime No. 30 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 was married to one Saranya Loganayaki. During the subsistence of marriage, A1 is said to have again married the defacto complainant. That was known to other accused persons, who are the brother-in-law and mother-in-law and they also did not inform the same to the defacto complainant. That apart, A1 was treating the defacto complainant with cruelty and the first petitioner (A2) also misbehaved with the defacto complainant.

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

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4.Taking into consideration of the facts and circumstances of the case and considering the fact that there is a matrimonial dispute involved in this case and no custodial interrogation is required, this Court is inclined to grant to grant anticipatory bail to the petitioners.

5.Accordingly, this criminal original petition is ordered and 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, Additional Mahila Court, Trichy, on condition that the petitioners 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 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 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.



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[c] the petitioners shall report before the respondent police as and when required for interrogation.

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

[e] the petitioners 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 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]; and;

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

sd/-
09/12/2024

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/12/2024

Sub-Assistant Registrar (CS-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, Additional Mahila Court, Trichy
 2. Do-Through The Chief Judicial Magistrate,
Trichy District.
 3. The Inspector of Police,
All Women Police Station,
Jeeyarpuram, Trichy District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.T.LENIN KUMAR, Advocate (SR-15166[I] dated 10/12/2024)

ORDER
IN
CRL OP(MD) No.21529 of 2024
Date :09/12/2024

RK/SKN (16/12/2024) 5P / 6C

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