



CRL OP(MD). No.21988 of 2024

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

Date : 13.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Muthumari

... Petitioner / Accused No.2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Kamuthi Police Station,
Kamuthi, Ramnad.
(Crime No.290 of 2024)

... Respondent/Complainant

For Petitioner : M/s.P.Malini, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 290 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



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for the alleged offences under Sections 194(3) of BNSS @ Sections 9, 10 & 11 of Prohibition of Child Marriage Act and 5(1), 6 of POCSO Act r/w. 107 of BNS, in Crime No.290 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the mother of the deceased. The deceased married A1. She is said to have been treated with cruelty. As a result, she committed suicide by hanging and at the time of this incident, she was aged 15 years. This petitioner gave the complaint after the incident based on which, Crime No.290 of 2024 was registered on 18.10.2024 under Section 194(3) of BNSS. In the course of investigation, it came to light that this petitioner, in spite of knowing that her daughter was a minor, forced her daughter to live with A1. Therefore, the petitioner was also made as an accused and added as A2.

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 manner in which the entire incident had taken place, no useful purpose will be served in subjecting the petitioner to custodial interrogation. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of



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arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Additional Mahila Court, Ramnad, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m. for a period of one week and thereafter, as and when required.

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

[d] the petitioner 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 petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-
13/12/2024

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

PAL

To

1.The Judge,
Additional Mahila Court, Ramnad.

2.The Inspector of Police,
Kamuthi Police Station,
Kamuthi, Ramnad.

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

+1 CC to M/s.P.MALINI, Advocate (SR-15413[I] dated 13/12/2024)

ORDER
IN
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Date :13/12/2024



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ED/ SKN /SAR- (27/12/2024) 5P / 5C

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