



CRL OP(MD). No.22075 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
CRL OP(MD). No.22075 of 2024

Marisamy @ Mariyappan

... Petitioner / Accused No.5

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
AWPS Theni Police Station,
Theni District.
(Crime No.16 of 2024)

... Respondent/Complainant

For Petitioner : Mr.Rajamohan Rengaraj, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 16 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 offences under Sections 69, 316(2) and 61(2) of BNS, in Crime No.16 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 had love affair with the defacto



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complainant. He also had physical relationship with her. Ultimately, A1 did not marry the victim girl and he married the daughter of the petitioner (A5). The allegation is that A5 knew about the previous relationship and in spite of the same, allowed his daughter to marry A1.

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 nature of allegation that has been made against the petitioner, 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 arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Additional Mahila Court (Magistrate Level), Theni, 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



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card or Bank Pass Book to ensure their identity.

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[b] the petitioner shall appear before the respondent police as and when required for interrogation.

[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 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/-
13/12/2024

/ TRUE COPY /

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

PAL



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To

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1.The Judge,
Additional Mahila Court (Magistrate Level),
Theni.

2.Do through the Chief Judicial Magistrate,
Theni District.

3.The Inspector of Police,
AWPS Theni Police Station,
Theni District.

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

+1 CC to M/s.R.RAJAMOHAN, Advocate (SR-15383[I] dated 13/12/2024)

ORDER
IN

CRL OP(MD) No.22075 of 2024
Date :13/12/2024

ED/ SKN /SAR- (27/12/2024) 4P / 6C

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