



CRL OP(MD). No.22328 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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1. Rosmila Begam,

2. Jailani Beevi,

3. Jamal Mohamed,

4. Yahoob,

5. Shakeera Banu @ Zahirabanu,

... Petitioners/ Accused Nos.1 to 5

Vs

The State of Tamil Nadu,
Rep by, the Inspector of Police,
Tallakulam Police Station, Madurai City
Crime No. 1351/2024.

... Respondent/Complainant

For Petitioners : Mr.Haroon Rasheed.D.S,
Advocate.

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

<https://www.mhc.tn.gov.in/judis> PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER:- For Anticipatory Bail in Crime No. 1351 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 5, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 191(2), 115(2) and 351(2) of BNS in Crime No.1351 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's son is married to accused No.1. There was some matrimonial dispute. On the date of occurrence, the accused persons are said to have gone to the house of the defacto complainant and there was a wordy quarrel and they are said to have abused the defacto complainant in filthy language and attacked with hands and threatened with dire consequences.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and considering the fact that there is a matrimonial dispute involved in this case, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

5. Accordingly, the petitioners are ordered to be released on anticipatory bail in



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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 No.II, Madurai on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each, with two sureties (common surety) 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 shall report before the respondent Police as and when required for 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;

[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]; and;



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

sd/-
18/12/2024

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/01/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE NO.II,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DSTRIC.

3 THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION,
MADURAI CITY

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



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ORDER

IN

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Date :18/12/2024

SA/SA/SAR. /06.01.2025/5P/5C

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