



CRL OP(MD). No.22525 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.22525 of 2024

1.Eshwari

2.M.Santhosh Kumar

... Petitioners / Accused 2 & 3

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Reddiyarchatram Police Station,
Dindigul District.
(Crime No.203 of 2024)

... Respondent/Complainant

For Petitioners : Mr.B.Ranjith Kumar,
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. 203 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 194(3)(iii) of BNSS 2023 altered into Sections 85 and 108 of BNS 2023, in Crime No.203 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the deceased had married A1 in the year 2022. She was subjected to cruelty and there was a demand for dowry. The petitioners are the mother and brother of the deceased. The allegation against them is that the deceased was complaining about the demand and they did not take any steps. Not being able to take the harassment anymore, the deceased committed suicide by hanging and the entire incident has been captured in the video which was produced before this Court.

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



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considering the allegation made against the petitioners which may not require a custodial interrogation, 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 learned Judicial Magistrate Court, Oddanchatram, 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 report before the respondent Police as and when required for interrogation.



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[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 petitioner 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. IPC.

sd/-
19/12/2024

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

PKN



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TO

- 1 THE JUDICIAL MAGISTRATE
ODDANCHATRAM.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
REDDIYARCHATRAM POLICE STATION, DINDIGUL DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.B.RANJITH KUMAR, Advocate (SR-15679[I] dated 19/12/2024)

ORDER
IN
CRL OP(MD) No.22525 of 2024
Date :19/12/2024

SS/SKN/SAR- /03/01/2025/ 5P/6C

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