



CRL OP(MD) No.22529 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). Nos.22529 and 22487 of 2024

CRL OP(MD).No.22529 of 2024

Sumithra

... Petitioner / Accused No. 4

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
AWPS Devakottai Police Station,
Sivagangai District.
(Crime No.17 of 2024)

... Respondent/Complainant

For Petitioner : Mr.J.Sivakumar,
Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS
PRAYER :-

For Anticipatory Bail in Crime No. 17 of 2024 on the file of the respondent police.

CRL OP(MD).No.22487 of 2024



CRL OP(MD) No.22529 of 2024

2.Sivasubramaniyan

3.Muthulakshmi

... Petitioners / Accused No. 1 to 3

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
AWPS Devakottai Police Station,
Sivagangai District.
(Crime No.17 of 2024)

... Respondent/Complainant

For Petitioner : Mr.KR.Bharathi Kannan,
Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 17 of 2024 on the file of the respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 296(b), 85, 351(2), 115(2) of BNS, 2023, in Crime No.17 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 is the husband, A2 and A3 are the father-in-law and mother-in-law and A4 is the person with whom A1 is said to have an illegal affair.



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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 fact that there is a matrimonial dispute involved and the marriage itself had taken place only in the year 2022 and there is a 1 ½ year old girl child, this court is inclined to refer A1 and the defacto complainant to the Mediation Centre attached to this Court. Insofar as A2 to A4 are concerned, 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.1, Devakottai, Sivagangai District, on condition that the petitioner 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 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.



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

[c] the petitioners shall not go anywhere near the defacto complainant to cause any threat to any means.

[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 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].

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

6. CrI.O.P.(MD) No.22487 of 2024 is kept pending insofar as A1 is concerned. A1 and the defacto complainant shall be present before the mediation centre attached to this Court on 02.01.2025 at 3.00 p.m. The process of mediation centre shall commence immediately and the mediation report shall be filed before the next date of hearing.



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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

TO

1 THE JUDICIAL MAGISTRATE
NO.I, DEVAKOTTAI, SIVAGANGAI DISTRICT.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
AWPS DEVAKOTTAI POLICE STATION,
SIVAGANGAI DISTRICT.

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

COPY TO

THE CHIEF COORDINATOR,
MEDIATION AND CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (Soft Copy)



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CRL OP(MD) No.22529 of 2024

ORDER
IN
CRL OP(MD). Nos.22529
and 22487 of 2024
Date :19/12/2024

PSP/ SKN /SAR /03.01.2025/ 6P/ 5C

Madurai Bench of Madras High Court is issuing certified
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