



CRL OP(MD). No.22737 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.22737 of 2024

Muthu @ Muthupandi

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Tallakulam Police Station,
Tallakulam, Madurai City.
(Crime No.800 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.R.Vignesh, Advocate

For Respondent : Mr.A.Albert James

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.800 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.3, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) of BNS and Section 4 of Tamil Nadu Prohibition of Women from Harassment Act, 2002 in Crime No.800 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant left the

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matrimonial home and was living with her parents. The husband of the defacto complainant was addicted to alcohol and ultimately, he was admitted to hospital and he died. The accused persons are said to have gone to the place of the defacto complainant and abused her in filthy language and assaulted.

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

4.There are three accused persons in this case. Taking into consideration the facts and circumstances of the case and also considering the fact that A1 and A2 have already been granted anticipatory bail by this Court in CrI.O.P.(MD)No.12550 of 2024 by an order dated 02.08.2024 and also considering the fact that there are no previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

5.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his 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 petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only), each 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 said Magistrate, on further condition that:



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[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner shall report 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]; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
20/12/2024

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

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TO

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1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

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

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

+1 CC to M/s.R.VIGNESH, Advocate (SR-15804[I] dated 20/12/2024)

ORDER
IN

CRL OP(MD) No.22737 of 2024

Date :20/12/2024

RS/SKN/SAR-(06.01.2025) 4P 6C

Madurai Bench of Madras High Court is issuing
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