



CRL OP(MD). No.22957 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Nowfiya Thasneem

... Petitioner/2<sup>nd</sup> Accused

Vs.

The State of Tamil Nadu,  
Rep By, The Inspector of Police,  
All Women Police Station,  
Karur Rural, Karur District,  
Cr.No.15 of 2024..

... Respondent/Complainant

For Petitioner : Mr.M. Arikaran, Advocate

For Respondent : Mr.M.Sakthi Kumar

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.15 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused No.2, who apprehends arrest at the hands of the respondent for the offences punishable under sections 406, 417, 376 and 109 IPC in Crime No.15 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on the false promise of marrying the defacto complainant, the first accused, who is the brother of the petitioner, had intercourse with her for several times. Subsequently, the petitioner and her brother



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did not accept for marriage of the defacto complainant with the petitioner's brother.

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Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was falsely implicated in this case. He has not committed any offence as alleged by the prosecution. Even according to the prosecution case, the petitioner only introduced the main accused to the defacto complainant.

4. The learned Government Advocate (Crl. Side) submits that the petitioner is arrayed as second accused and the petitioner introduced the the main accused to the defacto complainant. The main accused, by giving false promise to marry her, had physical relationship with the defacto complainant and thereafter he refused to marry her. He therefore strongly objected for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering the nature of offences and the allegation levelled against the petitioner is that the petitioner only introduced the main accused to the victim, and the petitioner is having no previous case, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



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with two sureties each for a like sum to the satisfaction of the District Munsif cum Judicial Magistrate, Aravakurichi, Karur District, and on further conditions that:

[b] the petitioner shall report before the respondent police on all Saturdays at 10.00 a.m until further orders.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 B.N.S.

sd/-  
27/12/2024

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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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
ARAVAKURICHI, KARUR DISTRICT.

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

3 THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
KARUR RURAL, KARUR DISTRICT.

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

ORDER  
IN

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Date :27/12/2024

PSP/ SKN /SAR /02.01.2025/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified  
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