



CRL OP(MD). No.22971 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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1.Divya
2.Ravikumar
3.Mariyammal
4.Saranya @ Saranya Devi ...Petitioners/ Accused Nos.1 to 4

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Alangulam Police Station,
Virudhunagar District.
(Crime No.3/2023) .. Respondent/Complainant

For Petitioners : Mr.A.Manikandan
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS
PRAYER :-

For Anticipatory Bail in Cr.No.3 of 2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 147, 294(b), 506(1) of IPC and r/w 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's mother in law of the 1st petitioner and 2nd and 3rd petitioners are parents of the 1st petitioner and the 4th petitioner is the sister of the 1st petitioner. The defacto complainant son, namely, Ganesh Kumar and the 1st petitioner got married on 24.08.2018. The petitioner and the defacto complainant son have been living separately for the past 4 years due to matrimonial dispute. The petitioner has filed D.V. Case which is currently pending on the file of the Judicial Magistrate No.I, Sivakasi. In the mean time, at about 6.45 am, the petitioners and 4 other persons came and tried to trespass into the defacto complainant house and threatened the son. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have falsely implicated in this case and they are no way connected.

They have not committed any offence as alleged by the prosecution. Hence, he



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prayed to grant anticipatory bail to the petitioners.

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4. The learned Government Advocate (Crl. Side) fairly submits that the petitioners and 4 other persons came and tried to trespass into the defacto complainant house and tried to kill his son and no other criminal cases are pending against the petitioners and there is a counter case pending. Hence, he opposed to grant anticipatory bail to the petitioners.

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

6. Considering the rival submissions on either side, the nature of offences charged against the petitioners, and that there is a matrimonial dispute between the parties and no previous cases as against the petitioners and there is case and counter case, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on anticipatory bail on condition to 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 Judicial Magistrate



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Court No.II, Sattur, Virudhunagar District, and on further conditions that:

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[b] the petitioners shall report before the respondent police, every Saturday at 10.00 a.m. for a period of four weeks, and thereafter as and when required for the interrogation.

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

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

[e] the petitioners 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 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].



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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

sd/-
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/01/2025

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

RJR

TO

- 1.THE JUDICIAL MAGISTRATE NO.II, SATTUR, VIRUDHUNAGAR DISTRICT,
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3.THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

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Date :27/12/2024

RK/SKN (02/01/2025) 5P / 5C

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