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Crl.O.P.No. 15913 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.05.2025**

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRL. O.P.NO.15913 of 2025

Sudhakar

... Petitioner

Vs

The State Rep by,
The Inspector of Police,
All Women's Police Station, Mannargudi,
Thiruvarur District.
(Crime No.13 of 2025)

...Respondent

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner/Accused on
anticipatory bail in the event of arrest in Crime No. 13 of 2025 pending
on the file of the respondent police.

For petitioner : M/s.K.Pragadeesh Kumar

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 270, 420,
498(A) of IPC, 1860 in Crime No.13 of 2025 on the file of the respondent



police, seeks anticipatory bail.

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2. The case of the prosecution is that the defacto complainant was deceived into marrying HIV-positive Sudhakar, whose condition was hidden to secure dowry. She later tested positive, faced abuse, trauma and attempted suicide. Hence, this case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would also submit that he has been falsely implicated in this case: the petitioner is unable to survive because of apprehension of arrest and there is no previous case pending against petitioner. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that there are totally 5 accused in this case and the petitioner has been



arrayed as A1; and that there is no previous case pending against the petitioner. However, he opposed the grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on 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. 1, Mannargudi** on condition that the petitioner 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 said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall



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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 petitioner shall report before the respondent police at 10:30 a.m., for a period of two weeks and thereafter 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of



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Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.**

To:

1. The Inspector of Police,
All Women's Police Station, Mannargudi,
Thiruvarur District.
2. The Judicial Magistrate No.1, Mannargudi.
3. The Public Prosecutor,
Madras High Court.

N.SENTHILKUMAR, J.



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