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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.464 of 2025

1. Balamurugan
2. Chinnathambi
3. Rani
4. Deepa
5. Senthilselvam

... Petitioners/ Accused Rank not known

Vs

The State of Tamilnadu,
Rep By, The Inspector of Police,
All Women Police Station Cantonment,
Trichy District,
Cr.No.21 of 2024.

... Respondent/Complainant

For Petitioner : Mr.C.Karthikeyan,

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.21 of 2024 on the file of the respondent police.

<https://www.mhc.tn.gov.in/judis>



ORDER: The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 417 and 420 of IPC in Crime No.21 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a marriage proposal and the marriage between the defacto complainant and A1 was arranged. They started having relationship and they also had physical relationship. It is further alleged that the defacto complainant became pregnant and later the fetus was aborted. A1 refused to marry the defacto complainant. When the same was questioned, the other family members threatened the defacto complainant with dire consequences. Under these circumstances, the police complaint came to be given by the defacto complainant.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the first petitioner alone has been shown as an accused in this case and the petitioners 2 to 5 have not been added as accused in the FIR and there is no case pending against them as on date.

4. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent police.

5. Taking into consideration the facts and circumstances of the case and



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considering the nature of dispute between the parties, this Court is inclined to grant anticipatory bail to the first petitioner. Accordingly, this criminal original petition is partly allowed and the first 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 Additional Mahila Court, Trichy District, on condition that the first 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, on further condition that:

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

[b] the first 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.

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

[d] the first petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the first petitioner shall not abscond either during investigation or trial;



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[f] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the first petitioner in accordance with law as if the conditions have been imposed and the first 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;

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

6.This criminal original petition is closed insofar as the petitioners Nos.2 to 5 are concerned, by recording the submission of the learned Government Advocate (Crl.Side).

sd/-

22/01/2025

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/02/2025

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

LR
TO

1 THE ADDITIONAL MAHILA COURT,
TRICHY.



2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION CANTONMENT,
TRICHY DISTRICT.

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

+1 CC to M/s.C.KARTHIKEYAN, Advocate (SR-679[I] dated 23/01/2025)

ORDER
IN
CRL OP(MD) No.464 of 2025
Date :22/01/2025

NBF / SAR- (13/02/2025) 5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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