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CRL OP(MD). No.21780 of 2024

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.21780 of 2024

1. Avinash Kannan

2. Tamil Selvi

3. Ashok Kannan

4. Vinoth Kannan

5. Lavanya

... Petitioners/ Accused

Vs

State of Tamil Nadu,
The Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai City.

In Crime No.53 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.M.Jegadeesh Pandian,

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.53 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for



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the alleged offence under Sections 498(A) and 406 IPC in Crime No.53 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.This Court had already granted anticipatory bail to A2 to A5 by order dated 11.12.2024 and the first petitioner (A1) and the defacto complainant were referred to the mediation centre. A report has been received stating that the parties were not able to reach any settlement.

3.Taking into consideration the fact that there is a matrimonial dispute involved and no custodial interrogation may be required, this Court is inclined to grant anticipatory bail to the first petitioner. Accordingly, this criminal original petition is ordered 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 Judicial Magistrate No.II, Madurai, 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 fails 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



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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;

[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.

sd/-
22/01/2025

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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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LR

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,
ALL WOMEN POLICE STATION,
THALLAKULAM,
MADURAI CITY.

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

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-763[I] dated 23/01/2025)

ORDER IN
CRL OP(MD) No.21780 of 2024
Date :22/01/2025

SA/SKN/SAR. /10.02.2025/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.