



CRL OP(MD). No.22519 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 23.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH
CRL OP(MD). No.22519 of 2024

1.D.Mijin Dhas
2.Thangapushpam
3.A.Devadhas

... Petitioners/ Accused 1-3

Vs

The Inspector of Police,
AWPS Colachel,
Kanyakumari District.

... Respondent/ Complainant

For Petitioners : M/s.M.Nandhitha, Advocate
For Respondent : Mr.A.Albert James,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No.28 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 498A, 406, 506(i) of IPC, 2002 in Crime No.28 of 2024 on the file of the respondent police, seek anticipatory bail.

2. This Court had already granted anticipatory bail to A2 and A3 and this petition was kept pending insofar as A1 is concerned. The parties were directed to



CRL OP(MD). No.22519 of 2024

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appear before the mediation centre considering the fact that there was a matrimonial dispute. A mediation report has been received to the effect that the petitioner alone appeared for mediation and the defacto complainant is not interested and did not appear.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Taking into consideration the facts and circumstances of the case and considering the fact that there is a matrimonial dispute between the parties, this Court is inclined to grant anticipatory bail to the petitioner.

5.Accordingly, the petitioner (A1) 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 on which the order copy made ready, before the learned Judicial Magistrate, Eraniel, Kanyakumari District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb



CRL OP(MD). No.22519 of 2024

WEB COPY

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 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 BNS, 2023.

sd/-
23/01/2025

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

PKN

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CRL OP(MD). No.22519 of 2024

TO

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1 THE JUDICIAL MAGISTRATE, ERANIEL, KANYAKUMARI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE, AWPS, COLACHEL, KANYAKUMARI DISTRICT.

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

+1 CC to M/s.C.MUTHU SARAVANAN, Advocate (SR-776[I] dated 24/01/2025)

ORDER

IN

CRL OP(MD) No.22519 of 2024

Date :23/01/2025

RS/SKN/SAR-(10.02.2025) 4P 6C

Madurai Bench of Madras High Court is issuing
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