



CRL OP(MD). No.22983 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.22983 of 2024

Ramesh

... Petitioner / Sole Accused
Vs

The State of Tamil Nadu
Represented by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai
(Crime No.823 of 2024)

... Respondent/Complainant

For Petitioner : M/s. Dinesh Hari Sudarsan
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. 823 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 296(b), 115(2), 232 and 351(2) of BNS Act in Crime No.823 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had relationship with the defacto complainant and he said to have sexually abused the defacto complainant's daughter, who was born through 1st marriage. The case was pending in Spl.S.C.No.20 of 2022. Whiles, petitioner is said to have abused the defacto complainant and her daughter in filthy language and threatened with dire consequences.

3. When the matter came up for hearing today, the learned Government Advocate (Crl. Side) submitted that, LW1 and LW2 have already been examined in Spl.S.C.No.20 of 2022(now renumbered as Spl.S.C.No.14 of 2023) and now the case is posted for examination of other witnesses.

4. The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner.



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

6. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 on which the order copy made ready, before the learned Judicial Magistrate No.I, Sivagangai 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 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 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.



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[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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/ /2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

sma



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TO
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1. THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.
3. THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.M.DINESH HARI SUDARSAN, Advocate (SR-735[I] dated
23/01/2025)

ORDER
IN
CRL OP(MD) No.22983 of 2024
Date :23/01/2025

RK/SKN (13/02/2025) 5P / 6C

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