



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.24823 of 2021

1.B.Sathiyasundaram

2.K.Balaiya

3.B.Kannika Parameswari

... Petitioners

Vs.

The State Rep.by
The Inspector of Police,
All women Police Station,
Panruti, Cuddalore.
Crime No.39 of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioners on bail in the event of their
arrest in Crime No.39 of 2021 on the file of the respondent police.

For Petitioner : Mr.D.Padmanabhan

For Respondent : MR.A.Gokulakrishnan,
Additional public Prosecutor

For Intervenor : W.Camyles Gandhi

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 498(A), 494, 294(b), 506(i) of IPC in Crime No.39 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that defacto complainant lodged a complaint before the respondent police stated that she got married with A1/Sathiyasundaram on 26.10.2015 and she was gifted 30 sovereigns of Gold articles with one lakhs rupees and two lakhs rupees worth of household articles and led the matrimonial life happily for



one year, thereafter, the A1 took the ATM card of the defacto complainant and used to come in drunken mode and picked quarrel with the defacto complainant. Thereafter defacto complainant left the matrimonial house lived with her parents and in the meanwhile, A1 got illegal intimacy with one Kalaivani/petitioner herein, the same was questioned by the defacto complainant, due to which, A1 along with his parents abused her with filthy language and threatened her with dire consequences and the defacto complainant came to know that A1 got married with the petitioner. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioner have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned counsel for the Intervenor raised strong objection by stating that A1 got married with the petitioner without the knowledge of the defacto complainant.

5. The learned Government Advocate (Crl.Side) submits that investigation is not yet completed. Hence, he vehemently opposed the grant of bail.

6. Considering the fact and circumstances of the case and also the fact that the second and third petitioners are senior citizens and they are being the in-laws of the defacto complainant, this Court is inclined to grant anticipatory bail to the second and third petitioners and with regard to the first petitioner and being the husband of the defacto complainant and the gravity of the offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the first petitioner.

6. Accordingly, the second and third petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier before the learned Judicial Magistrate - II, Panruti, on condition that the petitioners 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 and on further condition that:

[a] the second and third petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PANRUTI, CUDDALORE DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.D.PADMANABHAN Advocate on payment of necessary
charges SR.NO.85

+1 CC to M/S.W.CAMYLES GANDHI, Advocate on payment of necessary
charges SR.NO.106

CRL OP.24823/2021

Date :04/01/2022

JPA 20/01/2022