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CRL OP. 28263 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2024

CORAM

**THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI**

**CRL OP. 28263 of 2024**

KANDASAMY  
S/O.GOVINDASAMY, NO.78E16/1,  
THIRUVALLUVAR NAGAR, KOMARAPALAYAM,  
NAMAKKAL DISTRICT.

PETITIONER(S)

Vs

THE STATE BY  
THE INSPECTOR OF POLICE, ANNADANAPATTY  
POLICE STATION, ANNADANAPATTY, SALEM  
CITY, SALEM. (CR.NO. 193 OF 2024)

RESPONDENT(S)

**For Petitioner(s):**

C PRAKASAM  
R.HEMALATHA

**For Respondent(s):**

PUBLIC PROSECUTOR

**ORDER**

This petition has been filed to enlarge the petitioner on bail in event of his arrest in crime No. 193 of 2024 pending on the file of the respondent police.



2. The case of the prosecution is that the petitioners demanded dowry from Nithya/daughter-in-law. Hence, she committed suicide her mother's house.

3. The learned counsel for the petitioners submit that the petitioners have been falsely implicated in this case and they are in-laws and very aged persons. Hence, he prays to allow this petition.

4. The learned Government Advocate (Crl. side) submits that the husband of Nithya/A3 arrested and released on bail. However, he raised objection to grant bail.

5. Considering the facts and circumstances of the case and also the fact that the first petitioner is aged about 77 years and second petitioner is aged about 55 years. Hence, this Court is inclined to grant bail to the first and second petitioner.

6. Third petitioner has been already arrested and released on bail. Hence, the petition against the third petitioner is dismissed.

7. Accordingly, the first and second petitioner are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.IV, Salem**, Salem District, on condition



that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, 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 first and second petitioner 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;

(b) the first and second petitioner shall report before the respondent police as and when required for interrogation;

(c) the first and second petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the first and second 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

12-12-2024

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TO

THE INSPECTOR OF POLICE, ANNADANAPATTY  
POLICE STATION, ANNADANAPATTY, SALEM  
CITY, SALEM.