



Crl.O.P.Nos.29434 & 29462 of 2024

A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.351 of 2024 registered for the offences punishable under Section 296(b), 115(2), 324(4), 74 and 351(2) of BNS, the present petitions have been filed seeking anticipatory bail.

2. The case of the prosecution as per the defacto complainant Latha Reddy is that her daughter Swetha was married to the first accused viz., Aarav in 2012. After their marriage, the couple resided in Australia. During the subsistence of their marriage, the first accused allegedly subjected defacto complainant's daughter to cruelty, leading to a divorce. He further submitted that the defacto complainant's daughter is also taking care of their seven year old son. On the date of occurrence i.e., on 06.11.2024, both accused entered the defacto complainant's house, damaged the CCTV cameras installed on the premises and thereafter, assaulted the defacto complainant and her husband. Hence, the case has been filed.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court.



Learned counsel for the petitioner would submit that the case of the matrimonial dispute has been exaggerated and a false complaint has been filed. The first accused married the defacto complainant's daughter in the year 2012, and they have a son from the said marriage. Due to the matrimonial dispute, the petitioner applied for divorce and the same was granted. The custody of the minor child has been granted to Swetha, who is residing with the child in Australia. He further submitted that while the defacto complainant's daughter was in India, a verbal altercation occurred between the parties, following which the defacto complainant filed a false case against the petitioner. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. He also submits that as on date, the defacto complainant daughter along with her child also left to Australia.

4.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioner is the former son-in-law of the defacto complainant. The petitioner has unlawfully tampered with the CCTV Camera footage and also abused and assaulted the senior citizens.



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5. The learned intervenor appearing for the defacto complainant would submit that the petitioner, who are respectively the son-in-law and his brother, trespassed into the house of the defacto complainant, abused the senior citizens, assaulted them and also caused damages to the CCTV Camera.

6. Having heard the learned counsel for the petitioner and the learned Government Advocate (CrI. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly he 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Tambaram, Chennai, 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said



Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the Inspector of Police, Soundarapandiyanar Police Station, Angadi, T.Nagar, Chennai, everyday at 10.30 a.m for a period of two weeks and thereafter on every Saturday at 10.30 a.m until further orders;

[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.

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02.12.2024