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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2024

CORAM

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

CRL OP. 30897 of 2024

B.PALANI
S/O.BALAJI, NO.4/147, JANI JOHN KAHAN ROAD,
ROYAPETTAH, CHENNAI -14.

PETITIONER

Vs

THE INSPECTOR OF POLICE
W-23, ALL WOMEN POLICE, ROYAPETTAH,
CHENNAI-14.

RESPONDENT

For Petitioner:

Ms.D.KALAISELVI

For Respondent:

MR. S. SANTHOSH, ADVOCATE (CRL. SIDE)



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ORDER

Apprehending arrest in connection with Crime No.14 of 2024 registered for the offences punishable under Sections 498(A), 294(b) and 506(2) of IPC, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner has been falsely implicated in this case due to the Matrimonial dispute between the defacto complainant and her husband. The marriage between the defacto complainant and the petitioner's first son (A1) was solemnized 18 years ago, and they have two children. The allegations raised by A1 against the defacto complainant regarding an alleged illegal affair appear to have been triggered and a false complaint has been given. He would submit that the petitioner is ready to abide by any stringent condition that may be imposed by this court.



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3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the defacto complainant got married to the first accused 18 years ago and out of the wedlock, they have two children. The first accused, who is the husband of the defacto complainant, harassed and accused her of having illegal affair. The second accused (father-in-law of the defacto complainant), the petitioner herein, had forced her to have sexual intercourse with her husband and all the relatives along with the petitioner have continuously harassed her.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. 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 **IV Metropolitan Magistrate, Saidapet**, 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 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;

[c] the petitioner shall report before the respondent Police everyday at 10.30 a.m for a period of one week and thereafter every Saturday at 10.30 a.m. until further orders.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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



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by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala
[(2005)AIR SCW 5560];

[g] If the accused thereafter absconds, a fresh FIR can
be registered under Section 269 of BNS.

11.12.2024

bga

To

1. THE INSPECTOR OF POLICE
W-23, ALL WOMEN POLICE, ROYAPETTAH,
CHENNAI-14.

2. THE IV METROPOLITAN MAGISTRATE, SAIDAPET



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A.D.JAGADISH CHANDIRA, J.

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