

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13-12-2024**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31155 of 2024

Raja Rohini

..Petitioner(s)

Vs

The State Rep By, The Inspector Of Police
W-8, Thirumangalam Police Station,
Chennai.

.. Respondent(s)

For Petitioner(s) : Mr.Mohammed Muhsin

For Respondent(s): Mr.S.Santhosh
Govt.Advocate (Crl.side)

ORDER

Apprehending arrest in connection with Crime No.40 of 2024 registered for the offences punishable under Sections 376, 420 of IPC and Sections 238, 296(b), 351(2) and 118(1) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, the present petition has been filed by the petitioner seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence

of this Court. He would submit that A1 has already been arrested and released on bail. Therefore, the petitioner seeks grant of anticipatory bail to him.

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 petitioner's husband A1 and the defacto complainant were in a love affair from 2018, now when the defacto complainant forced him to marry her, she came to know that A1 is already married to the petitioner/A2. The petitioner along with her husband/A1 assaulted and abused the defacto complainant.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate 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. 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 of receipt of a copy of this order, before the **learned Metropolitan Magistrate, Additional Mahila Court, Egmore**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/-**

(Rupees Ten Thousand only), with two sureties 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 everyday at 10.30 a.m., for a period of one week and thereafter as and when required.

[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

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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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

13.12.2024

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