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Crl.O.P.No.31478 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31478 of 2024

Lalithakrishnan
S/o. Ravikumar and 2 Others

Petitioner(s)

Vs

State By, Inspector Of Police,
W21 All Women Police Station, Guindy, Chennai.

Respondent(s)

For Petitioner(s):

Prem Kumar
V. Sambamurthy
S.Logesh
R.Chequavera

For Respondent(s): Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 85, 296(b), 351(3) of BNS in Crime No.08 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Gayathri is that, the first petitioner is the husband and the second and third



petitioners are in-laws of the defacto complainant. The defacto complainant got married to the first petitioner on 03.06.2020 and out of their wedlock, a female child was born to the defacto complainant. There was a family dispute and difference of opinion between the petitioners and the defacto complainant, thereby, the petitioners had harassed and abused the defacto complainant and driven her along with her child out of the matrimonial home and presently, the defacto complainant is living along with her child in her parents home. Hence, this case.

3. Learned counsel appearing for the petitioners would submit that petitioners are innocent and have not committed any offence, as alleged by the defacto complainant. He would further submit that the due to matrimonial dispute and difference of opinion between the first petitioner and the defacto complainant, the defacto complainant left the matrimonial home along with her child without any intimation to the petitioners and went to her parents home. He also submitted that with malafide intention, the present complaint has been lodged by the defacto complainant. He would further submit that the petitioners are ready to abide by any condition, that may be imposed by this Court and also to appear and co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioners.



4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioners, stating that the petitioners are the husband and in-laws of the defacto complainant and due to family dispute between the parties, the complaint was lodged. He also submitted that the petitioners have harassed and abused the defacto complainant, further driven her out of the matrimonial home. He also submits that the petitioners have no previous cases.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and considering the relationship between the parties, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners 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 on which the order copy made ready, before **the learned IX Metropolitan Magistrate Saidapet, Chennai.** on condition that the petitioners



shall execute a separate 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall report before the respondent police everyday at 10:30 a.m., for a period of two weeks and thereafter, every Saturday at 10:30a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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



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[(2005)AIR SCW 5560].

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[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

17.12.2024

stn

To

1. State By, Inspector Of Police,
W21 All Women Police Station,
Guindy, Chennai.

A.D. JAGADISH CHANDIRA, J.

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