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Crl.O.P.No.31451 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. 31451 of 2024

VELUSAMY

S/o.Govindaraj, No.127, Periyathamal Chevuru
Village, Peranampattu Taluk, Vellore District. and 2
Others

Petitioner(s)

Vs

The State Rep By Its
The Inspector Of Police, Pernampet Police Station,
Vellore District. Cr.No.482/2024.

Respondent(s)

For Petitioner(s):

D Anandan
K.Mageshwaran

For Respondent(s):

Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 80(2) and 85 of BNS in Crime No.482 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused had abused, harassed the defacto complainant's daughter on



demand of two wheeler and dowry, thereby, the defacto complainant's daughter had committed suicide by hanging. Hence, this case.

3. Learned counsel appearing for petitioners would submit that the petitioners are innocent and have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the son of the first and second petitioners and brother of the third petitioner got married with the defacto complainant's daughter on 21.08.2023 and due to matrimonial dispute and difference of opinion between them, a false complainant has been lodged against the petitioners herein. He also submitted that the petitioners are ready to produce solvent sureties and to abide with any conditions that may be imposed by this Court, therefore, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting of anticipatory bail to the petitioners stating that the petitioners along with other accused person, who is the son-in-law of the defacto complainant, abused and harassed the defacto complainant's daughter on demand of dowry and two wheeler, thereby, the defacto complainant's daughter committed suicide by hanging on 30.10.2024. He further submitted the co-accused, husband of the defacto complainant's



daughter was arrested and still in custody and the investigation is still pending.

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5. Heard the learned counsel for the petitioners, 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 also considering the nature of offence and that the investigation is still pending, **this Court is not inclined to grant anticipatory bail to the first and second petitioners, who are the in-laws of the of the victim girl and considering that the third petitioner is the daughter of the first and second petitioner, who is living separately with her family, this Court is inclined to grant anticipatory bail to the third petitioner with certain conditions.**

7. Accordingly, the **third petitioner alone** is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Gudiyatham** on condition that the petitioner 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 third 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 third 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 for interrogation.

[c] the third petitioner 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 [(2005)AIR SCW 5560].



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

8. Accordingly, this criminal original petition in respect of first and second petitioners is dismissed and in respect of third petitioner is ordered.

17.12.2024

stn

To

1. The State Rep By Its
The Inspector Of Police, Pernampet Police Station, Vellore
District.
Cr.No.482/2024.

A.D. JAGADISH CHANDIRA, J.

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