



CrI.O.P.No.402 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

CrI.O.P.No.402 of 2025

1. V. Mahalakshmi
2. Vijayashanthi

... Petitioners

Vs.

State represented by;
The Inspector of Police,
All Women Police Station,
Karaikal District.
Crime No.05 of 2024

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on Anticipatory bail in the event of their arrest in the above Crime No.05 of 2024 on the file of the respondent.

For Petitioners : Mr.Vinoth Kumar
For Respondent : Mr.K.S.Mohandass
Public Prosecutor (Puducherry)

ORDER

Apprehending arrest in connection with Crime No.05 of 2024



registered for the offences punishable under Sections 85, 296(b), 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. Learned counsel for the petitioners would submit that the 1st petitioner is the mother-in-law and 2nd petitioner is the sister-in-law of the defacto complainant. He further submits that there was a matrimonial dispute between the petitioners and the defacto complainant. Due to which, a false complaint has been foisted against the petitioners.

3.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 petitioners are in-laws of the defacto complainant and they harassed the defacto complainant and demanded more dowry. He further submitted that the 1st accused is the husband of the defacto complainant and he has been arrested and released on bail.



WEB COPY

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 petitioners with certain conditions and 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 of receipt of a copy of this order, before the learned Judicial Magistrate I, Karaikal, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), each 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 petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent Police daily at 10.30 a.m for a period of one week and thereafter shall report before the respondent police as and when required for interrogation ;

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



WEB COPY



CrI.O.P.No.402 of 2025

[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];

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

30.01.2025

dpq



WEB COPY



Crl.O.P.No.402 of 2025

A.D.JAGADISH CHANDIRA, J.

dpq

To

1. The Inspector of Police,
All Women Police Station,
Karaikal District.
2. The Public Prosecutor
High Court Madras.

Crl.O.P.No.402 of 2025

30.01.2025