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Crl.O.P.No.475 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.475 of 2025

1. Prithivraj
2. Prabhu Baskar

...Petitioners

Vs

State rep. by
The Inspector of Police,
AWPS – Pulianthope Police Station
Chennai.
(Crime No.19/2024)

...Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the event of his arrest in connection with Crime No. 19 of 2024 pending on the file of the respondent police.

For Petitioners :Mr.S.Ananda Kumar

For Respondent :Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.19 of 2024 registered for the offences punishable under Section 498(A) of IPC, the



present petition has been filed seeking anticipatory bail.

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2. The case of the prosecution is that the marriage between the petitioner and the defacto complainant was solemnised on 22.04.2022 and at the time of marriage some jewels and house hold articles were given. The further allegation is that the petitioner accused had harassed the defacto complainant and driven out of the matrimonial home. Hence the case.

3. 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 matrimonial dispute has been exaggerated and a false complaint has been given. He further submitted that the defacto complainant has taken back her jewels and the petitioner also filed an application seeking for restitution of conjugal rights.

4. The case of the prosecution as put forth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the first petitioner is the



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husband and in the complaint given by the defacto complainant, it is alleged that the accused harassed and caused matrimonial cruelty to her.

He further submitted that the household articles that have been given as Sreedhana have not been returned by the petitioners and a case being registered as Crime No.19 of 2024 under Section 498 (A) of IPC.

5. Having heard the learned counsel for the petitioners 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 three weeks from the date of receipt of a copy of this order, before the learned Additional Mahila Metropolitan Magistrate Court, Egmore, Chennai, 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 three weeks 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 two weeks and thereafter on every Saturday at 10:30 a.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 [(2005)AIR SCW 5560];

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

09.01.2025

dpq

To

The Inspector of Police,
AWPS – Pulianthope Police Station



Chennai.

2. The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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