



Crl.O.P.No.415 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.415 of 2025

1. Indira Kumar
2. Dhanasekaran
3. Vijaya
4. Prakash @ Gnana Prakasam

... Petitioners

Vs

The State rep by
The Inspector of Police,
All Women Police Station,
Vaniyambadi
Thirupattur District.
Crime No.33 of 2024.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent Police in Crime No.33 of 2024 on the file of the respondent police.

For Petitioners : Mr.Kannadasan.E

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



ORDER

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Apprehending arrest in connection with Crime No.33 of 2024 registered for the offences punishable under Sections 85, 351(2) of BNS, 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 the first petitioner is the husband, and the 2nd to 4th petitioners are in-laws of the defacto complainant respectively. 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 put forth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioners are husband and in-laws of the defacto complainant and they harassed the defacto complainant and demanded more dowry.



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 District Munsif-cum-Judicial Magistrate, Vaniyambadi, 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 first petitioner 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; the 2nd to 4th petitioners 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;

[d] the petitioners shall not abscond either during



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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

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



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A.D.JAGADISH CHANDIRA, J.

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