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Crl.OP.No.1571 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.1571 of 2025

1. Sasidharan

2. Venkateshwaralu

... petitioners /Accused A1 & A2

Vs.

State rep. by
The Inspector of Police,
AWPS Royapettah,
Chennai District.
(Cr.No.16 of 2024)

... Respondent/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.16 of 2024 pending investigation on the file of the respondent police.

For petitioners : Mr.Balaji T

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



WEB COPY



CrI.OP.No.1571 of 2025

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b), 506(i), 323 of IPC, in Crime No.16 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant was married to the first petitioner, and within three days of their marriage, misunderstanding arose between them in respect of demand of dowry. When the defacto complainant refused the same, the petitioners allegedly harassed and threatened her with dire consequences. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners are a law abiding citizens and ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the



petitioners.

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4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioners, submitted that the de facto complainant was married to the first petitioner, and a dispute arose between them within three days regarding a dowry demand and the petitioners allegedly harassed and threatened the complainant.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Considering the nature of allegation; there is no previous case pending against the petitioners; and that custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 (15) days from the date on which the order copy is made ready, before the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, on condition that the petitioners shall execute a 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 said Magistrate, on further condition that:

[a] 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., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or



WEB COPY



CrI.OP.No.1571 of 2025

witness 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* reported in [(2005)AIR SCW 5560];

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

03.02.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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To

Page No.5 of 7



Crl.OP.No.1571 of 2025

1. The Inspector of Police,
AWPS Royapettah,
Chennai District.
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. Learned XVIII Metropolitan Magistrate,
Saidapet, Chennai.

SUNDER MOHAN, J.

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Crl.OP.No.1571 of 2025



WEB COPY



CrI.OP.No.1571 of 2025

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