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CrI.OP.No.1958 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 1958 of 2025

1.J John Jeffrin
2.P.John Justin
3.S.Leela

Petitioner(s)

Vs

State Rep By, The Inspector Of Polie
W 30, All Women Police Station, Poonamallee,
Chennai 600 056 (crime No. 02/2025)

Respondent(s)

For Petitioner(s):

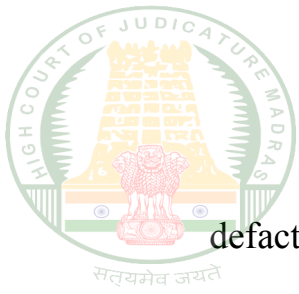
M Lenin Samuel

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 85 of BNS, 2023 in Crime No.02 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first petitioner and the



defacto complainant got married on 16.09.2024; that the 2nd petitioner, who is the father-in-law of the defacto complainant, and the 3rd petitioner who is the mother-in-law of the defacto complainant, suppressed the fact that the first petitioner had a hearing disability and got him married to the defacto complainant, and thus the petitioners committed the aforesaid offences. Hence the case.

3. Learned counsel for the petitioners would submit that the allegations are false and the defacto complainant has invented the reason only because there was incompatibility between her and the first petitioner and that in any case, the custodial interrogation of the petitioners is not required in this case and hence prays to grant anticipatory bail to the petitioners.

4. Learned counsel for the petitioners would further submit that all the household articles and jewels of the defacto complainant have been given to the defacto complainant and the same was acknowledged by a receipt dated 16.02.2025.



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5. Learned Government Advocate (Criminal Side) appearing for the respondent reiterated the prosecution case and on instructions, submitted that all the jewels and house-hold articles were handed over by the petitioner to the defacto complainant.

5. 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.

6. Considering the nature of allegations, the fact that the jewels and the house-hold articles of the defacto complainant were handed over by the petitioners and since the custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

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 days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Poonamallee**, on condition that each petitioner shall



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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 conditions that:

[a] the petitioners 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 petitioners shall report before the respondent police everyday 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 petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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].



CrI.OP.No.1958 of 2025

[f] If the accused thereafter abscond, a fresh FIR can be registered

under Section 269 B.N.S.

24.02.2025

drl

To

1. The Inspector Of Polie
W 30, All Women Police Station,
Poonamallee, Chennai 600 056

2. The Public Prosecutor,
Madras High Court, Chennai.

SUNDER MOHAN, J.

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