



Crl.OP.No.3413 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

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THE HONOURABLE MR.JUSTICE **SUNDER MOHAN**

Crl.OP.No.3413 of 2025

1. Vasanthi
2. Valli @ Ponni
3. S.Babu

...Petitioners/Accused-2 to 4

Vs.

The State Rep. by
The Inspector of Police,
Tiruvannamalai Taluk Police Station,
Tiruvannamalai District.
(Crime No.431 of 2024)

...Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.431 of 2024 on the file of the respondent police.

For Petitioners : Mr.Harish Chandrasekar

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

ORDER

The petitioners/A2 to A4, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 85 and 109 (1)



BNS altered to 85 and 103(1) BNS (498A, 307 @ 498A, 302 of IPC), in Crime No.431 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that A1 and the daughter of defacto complainant had a love affair, pursuant to which, they got married on 10.07.2024 in a temple; that thereafter there was a matrimonial discord; that on 14.12.2024 at 1.30 a.m, A1 had banged the deceased on the wall, as a result of which, she fell unconscious, taken to the hospital and thereafter, succumbed to the injuries, two days later i.e., on 16.12.2024. The petitioners/A2 to A4 are the in-laws of the deceased i.e., mother, sister and brother of A1 respectively. Hence, the case.

3. The learned counsel for the petitioners would submit that a false case has been foisted against the petitioners and they never demanded dowry from the deceased and her mother/defacto complainant. A1 and the deceased were living separately and the petitioners were not present during the alleged incident. Hence, he prays for grant of anticipatory bail to the



petitioners.

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4. Heard the learned Government Advocate (Crl.Side), who reiterated the prosecution case and opposed the anticipatory bail petitions.

5. The only allegation against these petitioners is that they had caused cruelty on the victim/deceased by demanding dowry.

6. Considering the relationship between the petitioners and the victim/deceased, the nature of allegation against the petitioners and they are not accused of the offence of murder and they had nothing to do with the matrimonial discord between A1 and deceased 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 with 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 (15)



days from the date on which the order copy is made ready, before the learned **Judicial Magistrate No.II, Tiruvannamalai**, 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] 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, as and when required for interrogation.
- [c] the petitioners shall not abscond either during investigation or trial;
- [d] the petitioners shall not tamper with evidence or witness either during investigation or trial;
- [e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take



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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.

12.02.2025

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

1. The Judicial Magistrate No.II,
Tiruvannamalai.
2. The Inspector of Police,
Tiruvannamalai Taluk Police Station,
Tiruvannamalai District.
3. The Public Prosecutor,



High Court of Madras.

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SUNDER MOHAN, J.

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