

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 27-02-2025
CORAM
THE HONOURABLE MR JUSTICE SUNDER MOHAN



CRL OP NO. 4382 of 2025

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Prashanth Madan
S/o.Madan Mohan, Flat No.2B Vijay Towers, No.18 Halls
Road Kilpauk, Chennai-600 010.

Petitioner(s)

Vs

The State Rep by, The Inspector of Police,
Taramani AWPS Taramani, Chennai (Crime No.4 of 2025)

Respondent(s)

For Petitioner(s):

C V Karthikeyan
C.Sangamithirai
M.Aditya

For Respondent(s):

Mr.S.Santhosh
Government Advocate (Crl.Side)

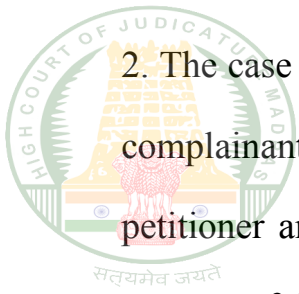
For Intervenor:

Mr.B.Dhanaraj

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory
bail in the event of his arrest by the respondent police in connection with Crime
No.4 of 2025 on the file of the respondent police.

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the
offences punishable under Sections 85 and 316(2) of BNS in Crime No.4 of 2025,
on the file of the respondent police, seeks anticipatory bail.



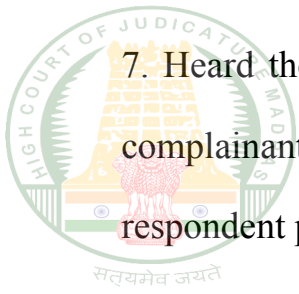
2. The case of the prosecution is that, the petitioner is the husband of the de facto complainant and there were matrimonial differences between them and that the petitioner and other accused had caused cruelty to the de facto complainant on account of demanding dowry and thus committed aforesaid offence.

3. Learned counsel appearing for the petitioner submitted that the allegations are false and due to the matrimonial differences, an exaggerated complaint has been given against the petitioner and his family members; and that, in any case, further custody of the petitioner is not required for the purpose of investigation. Hence, he prayed for anticipatory bail to the petitioner.

4. Learned counsel for the de facto complainant/intervenor vehemently opposed for granting anticipatory bail to the petitioner stating that the allegations against the accused are true and that the petitioner had taken away the jewels belonging to the de facto complainant to the tune of 35 sovereigns and not returned the same.

5. Learned Government Advocate (Criminal Side) reiterated the prosecution case and submitted that the investigation is pending.

6. When the matter was taken up for hearing on 19.02.2025, this Court had directed the petitioner to hand over the jewels to the de facto complainant. Today, the learned counsels appearing for the petitioner and the de facto complainant submitted that the jewels have been handed over to the de facto complainant on 25.02.2025. They also produced the Receipt issued by the de facto complainant.



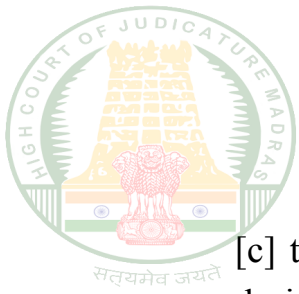
7. Heard the learned counsel appearing for both the petitioner and the de facto complainant and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.

8. Taking into consideration the above facts and considering the nature of allegation against the petitioner, this Court is of the view that the custodial interrogation of the petitioner is not required for the purpose of investigation. Thereby, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

9. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Additional Mahila Court, Aladur**, on condition that the petitioner 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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 petitioner shall report before the respondent police every Monday and Thursday at 05.30 p.m., until further orders;



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[c] the petitioner 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];

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

27-02-2025

To

1. The State Rep by, The Inspector of Police,
Taramani AWPS
Taramani, Chennai
(Crime No.4 of 2025)

2. The Additional Mahila Court, Aladur

CRL OP NO. 4382 of 2025

2/2