



Crl.OP.No.6814 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 11.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6814 of 2025

1.Abdul Rahim

2.Mohamed Nisha

.. Petitioners

Vs.

The State rep by
The Sub Inspector of Police,
AWPS Perambalur,
Perambalur District.
(Crime No.1 of 2023)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the
event of their arrest in Crime No.1 of 2023 on the file of the respondent
Police.

For Petitioners : M/s.Jagadeeshwaran R

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

ORDER



WEB COPY

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 147, 294(b), 498(A), 506(i) of IPC and Section 4 of Dowry Prohibition Act, 1961 in Crime No.1 of 2023, seek anticipatory bail.

2. The case of the prosecution is that there was a matrimonial dispute between A1 and the defacto complainant; that A1 left India and married another girl without consent of the defacto complainant; and that the petitioners are the parents of A1.

3. This Court had earlier granted interim anticipatory bail in Crl.O.P.No.1608 of 2023, dated 13.02.20223 subject to the following conditions:

“7.Considering the facts and circumstances of the case and also the fact that the first accused is ready and willing to pay the interim maintenance to the defacto complainant. Hence, this Court is inclined to grant interim anticipatory bail to the petitioners till 11.07.2023 with the following conditions:-

(i) The first accused is directed to pay a sum of Rs.3,00,000/- to the credit of Crime No.01 of 2023 before the trail Court on or before 02.03.2023. On such deposit, the defacto complainant is permitted to withdrawn the



WEB COPY



Crl.OP.No.6814 of 2025

above said amount on proper identification.

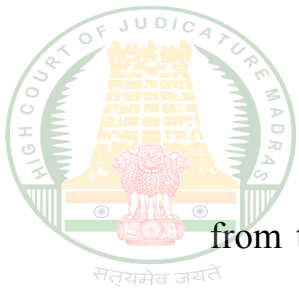
(ii) The petitioners shall co-operate for the investigation.”

3. The learned counsel appearing for the petitioners submitted that the 1st petitioner has deposited Rs.3,00,000/- to the credit of Crime No.01 of 2023 and hence, sought for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and submitted that the final report has been filed.

5. Considering the aforesaid facts, the final report has been filed and since, custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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



WEB COPY

from the date on which the order copy is made ready, before the **Judicial**

Magistrate Additional Mahila Court, Permabalur, Perambalur District,

on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/-**

(Rupees Ten Thousand only) with two sureties 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 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 appear before the Trial Court on all hearing dates.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 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**



CrI.OP.No.6814 of 2025

of Kerala [(2005)AIR SCW 5560];

WEB COPY

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

11.03.2025

Index : Yes / No
Internet : Yes / No
dpa

To

1.The Sub Inspector of Police,
AWPS Perambalur,
Perambalur District.

2. The Judicial Magistrate Additional Mahila Court,
Perambalur, Perambalur District

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

SUNDER MOHAN , J.

dpa



WEB COPY



CrI.OP.No.6814 of 2025

CrI.O.P.No.6814 of 2025

11.03.2025