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CRL O.P. No.5532 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

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1. Natarajan @ Natarajan.S.
2. Shanmugam @ Shanmuganandam Petitioners / Accused-4 & 5

Vs

State rep. by:-

The Inspector Of Police,
AWPS Mylapore Police Station,
Chennai District. ... Respondent
[Cr. No.12 of 2023]

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in Crime No.12 of 2023 on the file of the respondent police.

For Petitioner : Mr. A. Saranraj

For Respondent : Mr. S. Santhosh
Government Advocate
[Criminal side]

ORDER



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The petitioners / Accused 4 & 5, who apprehend arrest in the hands of the respondent police for the offence punishable under Sections 498(A), 420 and 120-B of IPC in connection with the case in Crime No.12 of 2023, seek anticipatory bail.

2. The case of the prosecution is that there is a matrimonial dispute between the 1st accused and the defacto complainant; that A2 and A3 are the parents of A1; that the petitioners are the brothers of A2; and that they had prevented the defacto complainant from continuing her relationship with her husband namely A1.

3. Learned counsel for the petitioners would contend that the allegations against the petitioners are false; that the petitioners, who are aged about 76 and 80 years, are sought to be implicated only to arm twist the 1st accused and others and hence custodial interrogation of the petitioners is not required and prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the



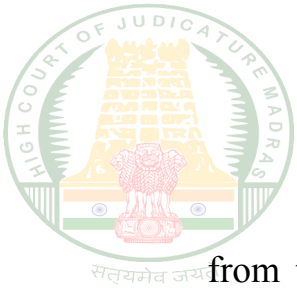
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petitioner, reiterated the prosecution case and on instructions, submitted that the petitioners are the brothers of A2; and that A2 and A3 were granted anticipatory bail vide order of this Court in Crl.O.P. No.9048 of 2024 and that charge sheet was also filed.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, considering the nature of allegation against the petitioners, submissions made by the learned counsels on either side, the fact that the co-accused were granted anticipatory bail, charge sheet has been filed and since, custodial interrogation 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 days



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from the date on which the order copy made ready, before the **XVIII Metropolitan Magistrate, Saidapet, Chennai** on condition that the petitioners shall each 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 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 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



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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 [(2005)AIR SCW 5560].

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

28.02.2025

mjs

To

1. The XVIII Metropolitan Magistrate, Saidapet, Chennai.
2. The Public Prosecutor, High Court, Chennai.
3. The Inspector Of Police, AWPS Mylapore Police Station, Chennai District.

SUNDER MOHAN. J.,

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