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CRL O.P. No.5657 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.03.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

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- 1.Rekha W/o. Shivalingam.
2. Revathi W/o. Jayakumar
3. Saravanan S/o. Ponnusamy
4. Jeevanandham S/o. Duraivelu ... Petitioners / Accused

Vs

State rep. by:-

The Inspector of Police,
N-2 Kasimedu Police Station. ... Respondent
[Cr. No.124 of 2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of
B.N.S.S., praying to grant anticipatory bail to the petitioners / Accused in
Crime No.124 of 2025 on the file of the respondent police.

For Petitioner : Mr.Karthick. V

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

ORDER



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The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 329(4), 296(b), 74 and 351(2) of B.N.S. in connection with the case in Crime No.124 of 2025, seek anticipatory bail.

2. The case of the prosecution is that on account of family dispute, on 04.02.2025, the petitioners trespassed into the house of the defacto complainant, quarrelled with her, abused her in filthy language, attempted to attack and threatened her of dire consequences.

3. Learned counsel for the petitioners would contend that the that the allegations against the petitioners are false; that there is a counter case registered against the defacto complainant; and that in any case, custodial interrogation of the petitioners is not required and hence prayed for grant of anticipatory bail to the petitioners.

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



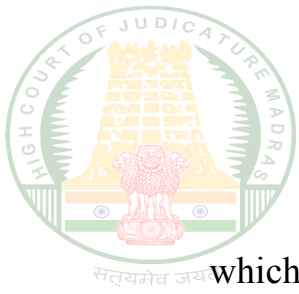
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the petitioners, reiterated the prosecution case and on instructions, submitted that there is a counter case pending against the defacto complainant; and that the petitioners have no bad antecedents.

5. Considering the nature of allegations, the fact that there is a counter case against the defacto complainant, the fact that the petitioners have no bad antecedents 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.

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 from the date of receipt of a copy of this order, before the learned **XVI Metropolitan Magistrate, 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



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which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

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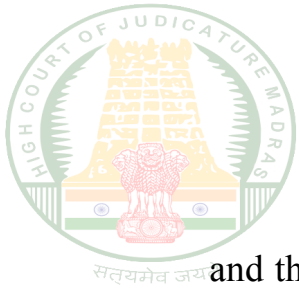
[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall appear before the 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 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



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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]; and

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

03.03.2025

mjs

To

- 1.The XVI Metropolitan Magistrate, Chennai.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, N-2 Kasimedu Police Station.

SUNDER MOHAN. J.,

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