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CRL OP NO.6503 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07.03.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.6503 of 2025

1. Selvi
2. Kesavan
3. Sridevi

petitioners/A2 to A4

Vs

State Rep By,
The Inspector Of Police
W6, Ayanavaram All Women Police Station,
Chennai.
(Cr.No 12 of 2024)

Respondent

Prayer:

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners / Accused on
anticipatory bail in the event of arrest in Crime No. 12 of 2024 pending
on the file of the respondent police.

For petitioners: Mr.Naresh

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

ORDER

The petitioners, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 69, 316(2),
318(2) of the BNS and Section 4 of the TNPWH Act in Crime No. 12 of
2024, on the file of the respondent police, seek anticipatory bail.



CRL OP NO.6503 of 2025

2. The case of the prosecution is that the first accused and the de facto complainant had love affair since 2015; that on the promise of marriage, he had sexual intercourse with the de facto complainant; that he induced her to obtain a loan for Rs.14,50,000/- and also made her to hand over her gold jewels weighing 14 grams; that the first accused neither married her nor returned the money and that the petitioners are the Mother, Father and Wife of the first accused, respectively.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent; that the first accused was arrested and released on bail and in any case custodial interrogation of the petitioners is not required for the purpose of investigation, he prayed for grant of bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that second to fourth petitioners are the parents and wife of the first accused respectively and that the first accused was arrested and released on bail.



CRL OP NO.6503 of 2025

WEB COPY 5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and also perused the materials available on record.

6. Taking note of the facts and circumstances of the case, the nature of allegations against the petiitoners and their relationship with the first accused, submissions made by the learned counsels on either side, that the first accused was arrested and released in bail 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 from the date on which the order copy made ready, before **the Additional Mahila Court, Egmore, Chennai** on condition that the petitioners shall 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



CRL OP NO.6503 of 2025

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 report before the respondent police every day 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 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.

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To

1.The Inspector Of Police
W6, Ayanavaram All Women Police Station,
Chennai.
(Cr.No 12 of 2024)

2.The Additional Mahila Court, Egmore,
Chennai

3.The Public Prosecutor,
High Court Madras.



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CRL OP NO.6503 of 2025

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CRL OP NO.6503 of 2025

07.03.2025