



Crl.OP.No.6719 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 10.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6719 of 2025

1.A.Suresh

2.R.Arumugam

3.A.Bhuvaneswari

.. Petitioners

Vs.

The State rep by
The Inspector of Police,
W28, All Woman Police Station,
Ambattur Police Station, Chennai.
(Crime No.31 of 2024)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of their arrest in Crime No.31 of 2024 on the file of the respondent
Police.

For Petitioner : M/s.L.Thiyagaiya

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



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 498A of IPC in Crime No.31 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner is the husband of the defacto complainant, 2nd petitioner is the father-in-law and the 3rd petitioner is the mother-in-law of the defacto complainant. The 1st petitioner and the defacto complainant got married on 09.06.2016, and that there were matrimonial differences; that the 1st petitioner received a sum of Rs.30,00,000/- from the defacto complainant for purchasing a house, but the amount was not returned; that the 1st petitioner's sister is a schizophrenia patient and that on account of her illness, she had caused cruelty to the the defacto complainant.

3. The learned counsel appearing for the petitioners submitted that the allegations are false; that there are matrimonial differences between the 1st petitioner and the defacto complainant and that in any case, custodial



interrogation is not required and sought for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that there are matrimonial differences between the 1st petitioner and the defacto complainant.

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

6. Considering the nature of allegations in the FIR and the relationship between the petitioners and the defacto complainant, 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 petitioners with certain conditions.



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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 is made ready, before the **Learned Judicial Magistrate, Ambattur**, 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 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 1st petitioner shall report before the respondent police twice a week at 10.30 a.m., until further orders, the 2nd and 3rd petitioners shall report before the respondent police as and when required for interrogation.

[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



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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 BNS.

10.03.2025

Index : Yes / No

Internet : Yes / No

dpa

To

1.The Inspector of Police,
W28, All Woman Police Station,
Ambattur Police Station, Chennai.

2.The Learned Judicial Magistrate, Ambattur

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



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SUNDER MOHAN, J.

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