



Crl.OP.No.6929 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 11.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6929 of 2025

1.Devi

2.Pugazhendhi

3.Sudhakar

.. Petitioners

Vs.

The State rep by
The Sub-Inspector of Police,
Vettavalam Police Station,
Tiruvannamalai District.
(Crime No.40 of 2025)

.. 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.40 of 2025 on the file of the respondent
Police.

For Petitioners : M/s.Ilayarani Ponraj

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 296(b), 115(2), 118(1) & 351(3), 191 (2), 308(2) in Crime No.40 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner is the first wife of the defacto complainant, the 2nd petitioner is the son of the 1st petitioner and the 3rd petitioner is the friend of the 2nd petitioner; that on account of prior enmity, the petitioners attacked the defacto complainant and that the 2nd and 3rd petitioners along with others had taken away the the jewels of the defacto complainant's 2nd wife.

3. The learned counsel appearing for the petitioners submitted that the petitioners were attacked by the defacto complainant and since an FIR was not registered against the defacto complainant, the petitioners had filed a petition under Section 175(3) of BNS; that as a counter to the said complaint, the defacto complainant had lodged the present complaint and sought for anticipatory bail to the petitioners.

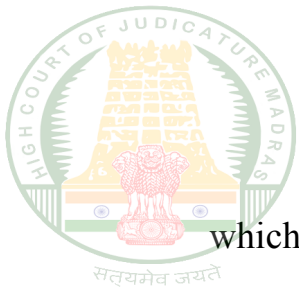


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4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the case is investigated as case and counter by the respondent.

5. Considering the nature of allegations and relationship between the parties, this Court is of the view that custodial interrogation of the petitioners is not required for the purpose of investigation and 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 from the date on which the order copy is made ready, before the **Munsif cum Judicial Magistrate at Kilpennathur Tiruvannamalai**, 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



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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 appear before the respondent police as and when required for interrogation and the 2nd and 3rd petitioners shall report before the respondent police twice a week 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 BNS.

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Index : Yes / No
Internet : Yes / No
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To

- 1.The Sub-Inspector of Police,
Vettavalam Police Station,
Tiruvannamalai District.
2. The Munsif cum Judicial Magistrate,
Kilpennathur Tiruvannamalai
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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9SUNDER MOHAN, J.

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Crl.O.P.No.6926 of 2025

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