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CRL OP No. 7266 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 7266 of 2025

1. Dinesh

S/o.Chinnasamy, D.No.88, Theeran
Nagar, Thuraimangalam (Post)
Perambalur Taluk and District

2. Chinnasamy

S/o.Late. Raju, D.No.88, Theeran
Nagar, Thuraimangalam (Post)
Perambalur Taluk and District

3. Jayamani

W/o.Chinnasamy, D.No.88, Theeran
Nagar, Thuraimangalam (Post)
Perambalur Taluk and District

Petitioner(s)

Vs

1. State represented by

Inspector of Police
Perambalur Police Station, Perambalur
District (Crime No. 117 of 2025)

Respondent(s)



CRL OP No. 7266 of 2025

PRAYER

To enlarge the petitioners on bail in the event of arrest pending investigation in Crime No.117 of 2025 on the file the respondent police

CRL OP No. 7266 of 2025

For Petitioner(s): Mr. K. Balasubramaniam

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 85, 296(b), 115(2), 351(2) of BNS / Section 498(A), 294(b), 321, 506(ii) of IPC in connection with the case in Crime No. 117 of 2025, seek anticipatory bail.

2. The case of the prosecution is that, the first petitioner is the husband of the defacto complainant; that the petitioners 2 and 3 are father-in-law and mother-in-law respectively of the defacto complainant; that the defacto complainant got married to the first petitioner on 28.08.2020; that 21 ¼ sovereign of gold ornaments and house hold articles were given as gifts at the time of marriage; that due to matrimonial dispute between the petitioners and the defacto complainant since November 2023, on 01.01.2024, the first



petitioner assaulted the defacto complainant and hence, she left the matrimonial house; that on 28.12.2024 when the defacto complainant returned to the matrimonial house, the petitioners 2 and 3 abused the defacto complainant in filthy language and also attacked her. Hence, the complaint.

3. Learned counsel for the petitioner submitted that the allegation of assault by the petitioners 2 and 3 are false; and that in any case, custodial interrogation is not required and sought for anticipatory bail for the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and submitted that there is a matrimonial dispute between the first petitioner and the defacto complainant.

5. Admittedly, the defacto complainant has not been living in the matrimonial home since January 2024. It is alleged that on 28.12.2024 the petitioners 2 and 3 attacked the defacto complainant and abused her in filthy language. The complaint was lodged after 2 months. Considering the above said

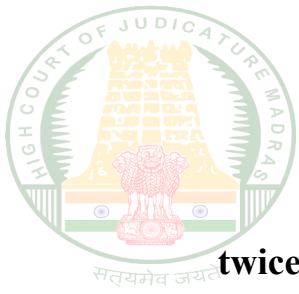


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facts, the nature of allegations upon the petitioners, the fact that there is a matrimonial dispute between the first petitioner and the defacto complainant, this Court is of the view that custodial interrogation is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners 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 made ready, before **the learned Judicial Magistrate I, Perambalur**, on condition that the petitioners shall execute 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.



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[b] the first petitioner shall report before the respondent police twice a week i.e., on every Wednesday and Saturday at 10.30 a.m., until further orders; Petitioners 2 & 3 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

17-03-2025

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SUNDER MOHAN, J.

AT

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To

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Perambalur Police Station, Perambalur
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Crl. O.P. No. 7266 of 2025