



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.8251 of 2025

1.Baskaran

2.Vanaja

3.Savitha

... Petitioners

Vs.

State by

Inspector of Police

AWPS Tiruvallur

Chennai

(Crime No.4 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the Petitioners on bail in the event of arrest in Crime No.4 of 2025, on the file of the respondent Police.

For Petitioners : Mr.Praveen Kumar.P

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

ORDER

The Petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 85, 296(b), 115(2), 318 BNS (498, 294(b), 323, 415 of IPC) and Section 4 of D.P. Act and Section 4 of TNPHW Act in Crime No.4 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that, the first accused, who is the son



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of the first and second petitioners married the de facto complainant and thereafter the first accused and the de facto complainant moved to London and due to matrimonial differences, the de facto complainant returned to India in May 2024; that she had handed over the jewels and other articles to the petitioners, that they had not returned the jewels and abused the de facto complainant in filthy language; and that the first accused had not paid the maintenance to the de facto complainant or to her children.

3.The learned counsel appearing for the Petitioners submitted that the Petitioners are innocent; that they had nothing to do with the matrimonial differences between their son and the de facto complainant and prayed for anticipatory bail for the Petitioners .

4.Learned Government Advocate (CrI. 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 the petitioners are in laws of the de facto complainant.

5.Heard the learned counsel for the Petitioners and the learned Government Advocate (CrI. Side) appearing for the respondent police and perused the materials available on record.

6.It is seen from the FIR that the first accused and the de facto complainant went to London after their marriage and the de facto complainant



returned to India on 24.05.2024 and filed a complaint on 24.12.2024 due to matrimonial differences between her and the first accused. Taking note of the

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facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, 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 learned Judicial Magistrate, Tiruvallur**, 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 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 as and when required.

[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.

20.03.2025

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SUNDER MOHAN, J.

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To
1.The Judicial Magistrate,
Tiruvallur.

2.The Inspector of Police
AWPS Tiruvallur
Chennai

3.The Public Prosecutor,
High Court of Madras.

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