



CRL O.P. No.9714 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated : 24.03.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.9714 of 2024

1. Periandy S/o. Sengeni
 2. Kiruoubagary W/o. Periandy... Petitioners / Accused-2 & 3
- Vs

State rep. by:-

The Inspector Of Police,
All Women Police Station,
Puducherry. ... Respondent
[Cr. No.3 of 2023]

Elavazhagi ... Intervenor / Defacto Complainant
[Permitted to intervene vide
order passed in CrI. M.P. No.7144 of 2024
dated 24.03.2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioners / Accused in

Crime No.3 of 2023 on the file of the respondent police.

For Petitioners : Mr. M. Palanivel
For Intervenor: Mr. V. Kamala Kumar
For Respondent : Mr. K.S. Mohandass
Public Prosecutor (Puducherry)

ORDER



CRL O.P. No.9714 of 2024

WEB COPY

The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 498-A of IPC in connection with the case in Crime No.3 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the 1st accused got married and there was matrimonial dispute between the two of them, since the 1st accused had developed an extra-marital affair with another lady at Singapore and married her. These petitioners are in-laws of the defacto complainant.

3. Learned counsel for the petitioners would contend that the petitioners are innocent; that they have been falsely implicated; that in any case, the custodial interrogation of the petitioners is not required in this case and hence prayed for grant of anticipatory bail to the petitioners.

4. The learned counsel appearing for the intervenor submitted that the 1st accused, husband of the defacto complainant, along with these petitioners, caused 'cruelty' to the defacto complainant and she is living separately with her children and hence, opposed the grant of anticipatory



CRL O.P. No.9714 of 2024

bail to the petitioners.

WEB COPY

5. The learned Government Advocate (Criminal Side), on instructions, 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 defacto complainant and earlier, they were granted interim anticipatory bail and the 1st accused is living at Singapore.

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side 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 on certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Chief Judicial Magistrate, Puducherry** on condition that each petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**,



CRL O.P. No.9714 of 2024

WEB COPY

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 conditions that:

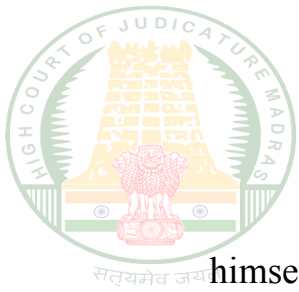
[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police as and when required 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court



CRL O.P. No.9714 of 2024

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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

24.03.2025

mjs

To

- 1.The Chief Judicial Magistrate, Puducherry.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector Of Police, All Women Police Station, Puducherry.

SUNDER MOHAN. J.,

mjs

CRL O.P. No.9714 of 2025



WEB COPY



CRL O.P. No.9714 of 2024

24.03.2025