



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2025

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.9973 of 2025

1.Srividya

2.Selvi

3.Rajendiran

...Petitioners/Accused 2 to 4

Vs.

State Represented by
The Inspector of Police,
All Women Police Station,
Sirkali, Mayiladuthurai District.
(Crime No.7 of 2025)

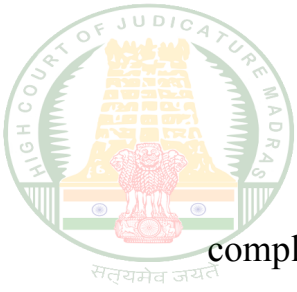
... Respondent

PRAYER: The Criminal Original Petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.7 of 2025 on the file of the respondent police.

For Petitioners : Mr.M.Machavatharan
For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 14.03.2025, seeking bail in Crime No.7 of 2025 registered for the offences under Sections 294(b), 352, 313, 417, 420 & 506(ii) of IPC.

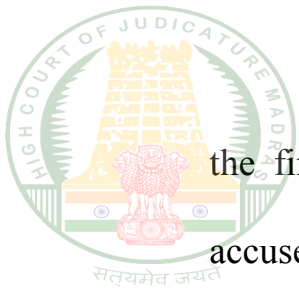


WEB COPY

2.The case of the prosecution is that the first accused and the defacto complainant had a love affair; that on the promise of the marriage, the first accused had sexual intercourse with the defacto complainant, as a result, the defaco complainant became pregnant; that thereafter, the first accused refused to marry the defacto complainant; that when the defacto complainant asked the first accused to marry her, the petitioners who are sister and parents of the first accused abused her in filthy language, assaulted and threatened her of dire consequences. Thus, the petitioners committed the aforesaid offence.

3. The learned counsel for the petitioners would submit that the allegations against the petitioners are false; that in any case, there was a consensual relationship between the first accused and the defacto complainant and since further custody of the petitioners is not required for the purpose of investigation, he sought for bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of bail to the petitioners, reiterated the prosecution case and confirmed the fact it was a case of love affair between



the first petitioner and the defacto complainant; that thereafter, the first accused refused to marry the defacto complainant; and that the petitioners 1 (sister), 2 and 3 (parents) had abused the defacto complainant, when she requested them to arrange the marriage with the first accused.

5. Considering the aforesaid facts, the fact that the first accused and the defacto complainant had a consensual relationship, the period of incarceration and since further custody of the petitioners is not required for the purpose of investigation and is inclined to grant bail to the petitioners on certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** each with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate, Sirkali** and on further conditions that:

[a] 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;

WEB COPY

[c] the petitioners shall not abscond either during investigation or trial;

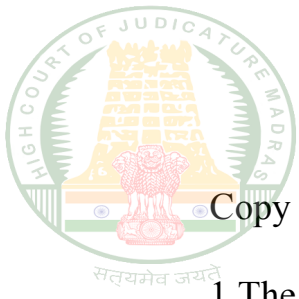
[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[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 B.N.S.

03.04.2025

rkp



Copy to:

1. The Inspector of Police,
All Women Police Station,
Sirkali, Mayiladuthurai District.
2. The Superintendent, Central Prison, Cuddalore.
3. The Judicial Magistrate, Sirkali.
4. The Public Prosecutor,
High Court, Madras.



WEB COPY

CrI.O.P.No.9973 of 2



SUNDER MOHAN, J.

rkp

CrI.O.P.No.9973 of 2025

03.04.2025