



Crl.OP.No.10408 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 17.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10408 of 2025

1.R.Premasudha
2.Shanmugasundaram

.. Petitioners

Vs.

The State rep by
The Inspector of Police,
AWPS Police Station, Puliyakulam,
Coimbatore.
(Crime No.20 of 2025)

.. Respondent

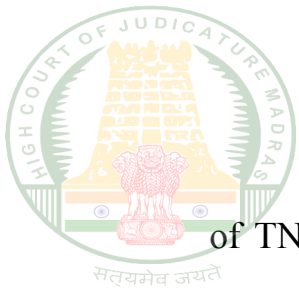
PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the
event of arrest in Crime No.20 of 2025 on the file of the respondent Police.

For Petitioners : M/s.Deepan Uday

For Respondent : Mr.S.Balaji
Government Advocate(Crl.Side)

ORDER

The petitioners, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 85, 115 of BNS, Section 4



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of TN Prohibition of Harassment of Women Act, 2002 in Crime No.20 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the first petitioner is the mother of the first accused; that the first accused is the husband of the defacto complainant; that the first accused caused cruelty to the defacto complainant by demanding dowry; that the first accused is in illicit relationship with other woman; and that the first petitioner abetted the first accused in committing the aforesaid offences; that the second petitioner had sent obscene videos to the defacto complainant and harassed her by following her to the rest room. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the allegations against the first petitioner is false; that there are matrimonial differences between the defacto complainant and the first accused and that in any case custodial interrogation of the petitioners is not required and prayed for anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and produced a copy of the whatsapp chat sent by the second petitioner to the defacto complainant, allegedly harassing her.

5. At this juncture, insofar as the 2nd petitioner is concerned, the learned counsel seeks permission of this Court to withdraw this Criminal Original Petition. The learned counsel has made an endorsement and hence, this Criminal Original Petition is dismissed as withdrawn insofar as the 2nd petitioner.

6. Insofar as the first petitioner is concerned, the allegations of dowry demand is vague. There are matrimonial differences between the defacto complainant and the first accused. Since custodial interrogation of the first petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the first petitioner with certain conditions.



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7. Accordingly, the first petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Additional Mahila Court, Coimbatore**, on condition that the first petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 first petitioner 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 first petitioner shall report before the respondent police as and when required for interrogation.

[c] the first petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the first petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned



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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
dpa

To

- 1.The Inspector of Police,
AWPS Police Station, Puliyakulam,
Coimbatore.
- 2.The Judicial Magistrate,
Additional Mahila Court, Coimbatore
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

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