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Crl.O.P.No.10730 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2025

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 10730 of 2025

1.Kalyanasundaram
2.Kalpana Elangovan

Petitioner(s)

Vs

The State Represented by,
Inspector of Police,
All Women Police Station – East,
Coimbatore District.
(Crime No.16 of 2025)

Respondent(s)

For Petitioner(s) : Mr.S.N.Arunkumar

For Respondent(s) : Mr.S.Balaji,
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent in Crime No.16 of 2025 on the file of the Respondent.

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 85, 115, 296, 316 and 351(3) of BNS 2023 in Crime No.16 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that there are totally 3 accused in this



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case; that the petitioners herein A2 and A3, are the parents of A1. The allegation is that A1 had an illegal intimacy with another woman, when the defacto complainant questioned the same, A1 along with other accused persons abused her in filthy language, assaulted her and threatened her of dire consequences. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the allegations are false; that the petitioners have not committed any offence as alleged in the FIR; and in any case, the custodial interrogation of the petitioners is not required and sought anticipatory bail for the petitioners.

4. Learned Government Advocate (Criminal 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 accused/A1 was arrested and still in custody; and that the petitioners has no bad antecedents.

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

6. Considering the nature of allegations, the fact that the main accused/A1 was arrested and still in custody; the petitioners has no bad



antecedents; and since the 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 their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Additional Mahila Court, Coimbatore**, 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 for interrogation.



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CrI.O.P.No.10730 of 2025

SUNDER MOHAN J.

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[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 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.

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09-04-2025

To

1. The Inspector of Police,
All Women Police Station – East,
Coimbatore District.

2. The Public Prosecutor,
High Court, Madras.

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