



WEB COPY



Crl.O.P.No.11972 of 2025

0IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 11972 of 2025

1.Muninathan
2.Amudha
3.Kumudha
4.Gayathri

Petitioner(s)

Vs

The State Represented by,
The Inspector of Police,
W9, Villivakkam All Women Police Station,
Chennai.
(Crime No.4 of 2025)

Respondent(s)

For Petitioner(s) : Mr.R.Muthukumar

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.4 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 74, 115(2) and 351(2) of BNS, in Crime No.4 of 2025, on the file of the respondent Police, seeks anticipatory bail.



Crl.O.P.No.11972 of 2025

WEB COPY

2. The case of the prosecution is that the defacto complainant's husband died on 15.03.2024; that the petitioners are her husband's relatives; that the defacto complainant was living in their house; that the petitioners attempted to evict the defacto complainant from the house; and that a Domestic Violence complaint has also been filed by the defacto complainant. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the allegations are false; that the defacto complainant has already filed a Domestic Violence complaint; that she has not been evicted and in any case, the allegations do not warrant custodial interrogation. Hence, sought for anticipatory bail.

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 confirms the above said fact.

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 allegations against the petitioners and the submissions made by the learned counsel for the petitioners, this Court is of the view that custodial interrogation of the petitioners is not required for the purpose



of investigation. Hence, 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 **XIII Metropolitan Magistrate, Egmore, Chennai**, 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;

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



WEB COPY



CrI.O.P.No.11972 of 2025

SUNDER MOHAN J.

drl

[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.

drl

22-04-2025

To

1. The Inspector of Police,
W9, Villivakkam All Women Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

CRL OP No. 11972 of 2025