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CrI.O.P.No.15110 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.15110 of 2025

1.David Thangaraj

2.Georgina Nalinakumari David

3.Sheeba

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
All Women Police Station,
Mylapore.

Crime No.02 of 2024

... 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 connection with Crime No.2 of 2024 on the file of respondent Police.

For Petitioners : Mr.M.Anantharaj for

Mr.Saravanan V

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Criminal Side)

For Intervener : M/s.V.Anuradha

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police
for the offences punishable under Section **498 A of I.P.C.** in Crime No.02 of



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2024, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that, petitioners are the father-in-law, mother-in-law and sister-in-law of the defacto-complainant. The marriage between the A1 and the defacto-complainant took place on 04.01.2019 at CSI St.Thomas English Church, Mylapore. After marriage, the defacto-complainant was sent to Canada along with her husband by November 2019. In her matrimonial home, the defacto-complainant was treated badly by the A1 and his family members/petitioners herein. The 125 sovereign of gold jewels and other household articles which was given to the defacto-complainant at the time of marriage was taken by the petitioners. In the year 2021, she was sent back to India to her parental home. Thereafter, the petitioners threatened her with dire consequences and A1 never attended her call or approached her to take her to matrimonial home. Hence the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they had been falsely implicated in this case. He further submitted that A1 in this case has already been granted anticipatory bail by this Court in CrI.O.P.No.15464 of 2025 on 26.06.2025. Hence, he prayed for grant of anticipatory bail to the petitioners.



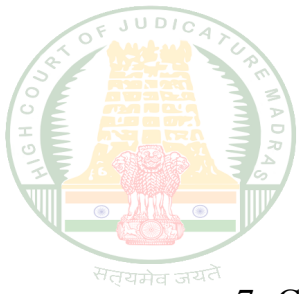
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4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioners.

5.The learned counsel for the defacto-complainant submitted that they had been running from pillar to post to seek return of the jewels and valuables of defacto-complainant. Further, she had filed domestic violence complaint before the learned XXIII Metropolitan Magistrate, Saidapet in D.V.C.No.59 of 2023 and the petitioners have suffered an order against them directing to return the gold jewels of 50 sovereigns and had also to pay the maintenance amount of Rs.1,00,000/- which have not been complied so far. The learned counsel for the defacto-complainant further submitted that the petitioners may be directed to return the jewels of 50 sovereigns. Hence, strongly opposed for grant of anticipatory bail to the petitioners.

6. Heard and perused the materials available on record.



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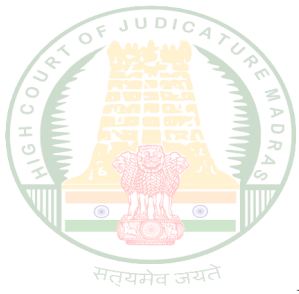
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7. Considering the facts and circumstances of the case, the fact that A1 in this case has already been granted anticipatory bail by this Court in CrI.O.P.No.15464 of 2025 on 26.06.2025 and since, custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. 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 **XVIII Metropolitan Magistrate, Saidapet, Chennai**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each 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] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial



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Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

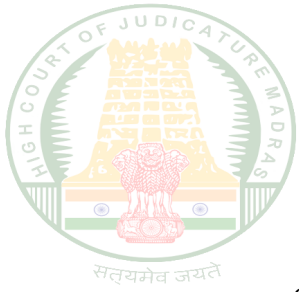
[c] the petitioners shall report before the respondent Police as and when required for interrogation;

[d] the petitioners shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13**



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SCC 283];

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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M.NIRMAL KUMAR, J.

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To

1. XVIII Metropolitan Magistrate,
Saidapet, Chennai.
2. The Inspector of Police,
All Women Police Station,
Mylapore.Station,
Cuddalore.
3. The Public Prosecutor,
High Court of Madras.

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