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CRL O.P. No.31037 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.31037 of 2024

1. R. Grace Devamani W/o. Ricky Cornelius
2. Ricky Cornelius S/o. Franky ... Petitioners / Accused 2 & 3

Vs

State rep. by:-

The Inspector Of Police,
All Women Police Station,
Egmore, Chennai.
[Cr. No.4 of 2024]

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioners / Accused in Crime No.4 of 2024 on the file of the respondent police.

For Petitioners : Mr.M. Jaikumar

For Respondent : Mr. S. Balaji,
Government Advocate
[Criminal side]

ORDER



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The petitioners / Accused 2 and 3, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 69 and 79 of B.N.S. read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in connection with the case in Crime No.4 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioners/ A2 and A3, parents of A1, stopped the marriage scheduled to be held between their son/A1 and the defacto complainant on 21.10.2024 by making false allegations and abused the defacto complainant using filthy language, hence the case.

3. Learned counsel for the petitioners would contend that the petitioners are innocent persons; that they have been falsely implicated for statistical purpose; that the allegations levelled against the petitioners are false; that co-accused was already granted anticipatory bail by this Court and that the custodial interrogation is not required in this case and hence prayed to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side), on instructions, would submit that the petitioners are parents of A1 and admitted that the main accused/A1 was already granted anticipatory bail.

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

6. Considering the nature of allegations; the fact that the co-accused has been granted anticipatory bail 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 of receipt of a copy of this order, before the learned



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Metropolitan Magistrate No.XIV, Egmore on condition that each petitioner 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 conditions 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.

[d] the petitioners 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

10.02.2025

mjs

To

- 1.The Metropolitan Magistrate No.XIV, Egmore.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector Of Police, All Women Police Station, Egmore, Chennai.

SUNDER MOHAN. J.,

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