



Crl.O.P.No.31596 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.31596 of 2024

1. M. Praveen
2. K.Muralidharan
3. M.Chithra
4. M.Vinoth

... Petitioners

Vs.

State represented by;
The Inspector of Police,
W-8, All Women Police Station,
Thirumangalam,
Chennai
Crime No.43 of 2024

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on Anticipatory bail in the event of their arrest in the above Crime No.43 of 2024 on the file of the respondent.

For Petitioners	:	Mr.D.Dayalan
For Respondent	:	Mr.S.Santhosh Government Advocate (Crl.side)
For Intervenor	:	Mr.K.Sathya



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ORDER

Apprehending arrest in connection with Crime No.43 of 2024 registered for the offences punishable under Sections 498(A) of IPC, 1860 & Section 133 of the BNS, 2023, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that the accused due to matrimonial dispute abused and assaulted the defacto complainant. Hence, the case.

3. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seek indulgence of this Court. Learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that due to matrimonial dispute, the defacto complainant had given an exaggerated complaint and he further submitted that the incident had happened during the heat of the moment when the defacto complainant showed the



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slippers to the 2nd petitioner and further submitted that settled talks are going on between the parties.

4. The case of the prosecution as putforth by the learned Government Advocate (Crl.side) appearing for the respondent Police is that on account of matrimonial quarrel, accused have abused and assaulted the defacto complainant. He further submitted that the 2nd petitioner/father-in-law had assaulted the defacto complainant with slippers. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. The learned counsel for the Intervenor would submit that the petitioners have abused and assaulted the defacto complainant. Hence he vehemently opposed for granting anticipatory bail to the petitioners.

6. Having heard the learned counsel for the petitioners, the learned counsel for the Intervenor and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on



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record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly the petitioners are ordered to be released on bail in the event of their 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 Judicial Magistrate, Ambattur, on condition that the petitioners shall execute a separate bond each 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 said Magistrate, on further condition that:

[a] if the petitioners failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent Police daily at 10:30 a.m. until further orders;

[c] the 2nd & 3rd petitioners shall file an affidavit of undertaking before the learned Judicial Magistrate, Ambattur that they will not interfere in the family matters of the 1st petitioner and the defacto complainant.

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



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[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 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 of BNS.

dpq

30.01.2025
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To

1. The Inspector of Police,
W-8, All Women Police Station,
Thirumangalam,
Chennai.

2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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