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CRL OP NO. 29816 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 29816 of 2025

1.Sittu @ Sittu Lakshmanan
2.Nagappan

...Petitioners/A2&A3

Versus

State rep. by,
The Inspector of Police
W10, AWPS – Saidapet,
Chennai – 15.

Respondent(s)

Criminal Original Petition filed under Section 482 of BNSS, Act, 2023 praying to enlarge the petitioners in the event of their arrest by the respondent police in pursuant to the FIR in Crime No. 16 of 2025 on the file of the respondent police.

For Petitioners : Mr.R.Vivekananthan
For Respondent : Mr.S.Udayakumar
Government Advocate [Criminal Side]

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 85 of BNS, 2023, in Crime No. 16 of 2025, on the file of the respondent Police, seek anticipatory bail.



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2. The allegation against the petitioners is that the de-facto complainant had married the son of the petitioners herein. Out of their wedlock, they were blessed with a child. Thereafter, the petitioners along with the husband of the de-facto complainant had harassed the de-facto complainant by way of mental cruelty, denial of food, confinement and physically assaulted and demanded more dowry from the de-facto complainant. Thereafter, they got separated from matrimonial home. Hence the case.

3. The learned counsel for the petitioners submits that the petitioners are the in-laws of the de-facto complainant. He further submits that the earlier anticipatory bail petition was dismissed by this Court in Crl.O.P.No. 20781 of 2025 dated 15.09.2025 which was filed by the petitioners herein. He further submits that all the gold jewels were handed over to the de-facto complainant. He also submits that the petitioners are ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for her release. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that the petitioners and the husband of the de-facto complainant harassed the de-facto complainant and physically assaulted and demanded more dowry from her. He further submits that investigation is pending. He further submits that 75 sovereigns of gold jewels of the de-facto complainant are withheld by the petitioners. However, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the fact that there is change in circumstances in this case and the allegation levelled against the petitioners for non returning the gold jewels belongs to the de-facto complainant and it is stated that jewels were returned, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned



Judicial Magistrate, Saidapet, on condition that the petitioners shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** **with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioners fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial 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 everyday at 10.30 a.m., for a period of one week and thereafter, as and when required for interrogation;

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



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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)13 SCC 283]**;

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

03.11.2025

MSM

To

1.The Judicial Magistrate, Saidapet.

2. The Inspector of Police

W10, AWPS – Saidapet,

Chennai – 15.

3.The Public Prosecutor,

High Court of Madras.



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K.RAJASEKAR, J.

MSM

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