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Crl.O.P.No.2188 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.2188 of 2025

1. Subramani
2. Raman @ Ramu
3. Nirmala
4. Ramya

... Petitioners

Vs

The State rep by
The Inspector of Police,
D-4 R.K.Pet Police Station
Thiruvallur District.
Crime No.646 of 2024.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent Police in Crime No.646 of 2024 on the file of the respondent police.

For Petitioners : Mr.R.Nagaraj

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)



Crl.O.P.No.2188 of 2025

ORDER

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Apprehending arrest in connection with Crime No.646 of 2024 registered for the offence punishable under Sections 296(b), 115(2) and 351(2) of BNS 2023 and Section 4 of TNPHW Act, 2002, the present petition has been filed by A1 to A4 seeking anticipatory bail.

2. Pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He would also submit that while they have been alleged to have attacked the de facto complainant Sulochana and her husband Velu and son Subash and abused them with filthy language, in reality, the petitioners had been attacked by the de facto complainant and her relatives when a demand was made for return of money lent by the husband of the fourth petitioner and the complaint sought to be lodged by the petitioners was not at all considered by the respondent police, however, a complaint lodged by the de facto complainant as a counter blast was taken on file and proceeded with. He would also submit that the petitioners, being law abiding citizens are ready to abide by any stringent condition that may be imposed by this court for grant of anticipatory bail.



3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that there exists a money dispute between the petitioners and the defacto complainant with regard to a loan alleged to have been given by the husband of the fourth petitioner to the de facto complainant. He would also bring to the notice of this court that there is no previous case pending against the petitioners.

4. Having 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, 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 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, Pallipattu** 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said



Crl.O.P.No.2188 of 2025

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. for a period of two weeks and thereafter on every Saturday at 10.30 a.m. until further orders;

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

[d] the petitioners shall not abscond during either 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 abscond, a fresh FIR can be registered under Section 269 of BNS.

30.01.2025

dpq/ssk.
To

1. The Inspector of Police,
D-4 R.K.Pet Police Station
Thiruvallur District.

2. Judicial Magistrate,



Pallipattu.

3. The Public Prosecutor,
High Court, Madras.



Crl.O.P.No.2188 of 2025



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Crl.O.P.No.2188 of 2025

A.D.JAGADISH CHANDIRA, J,

dpq/ssk.

Crl.O.P.No.2188 of 2025

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