



Crl.O.P.No.2672 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

THE HON'BLE MR. JUSTICE **SUNDER MOHAN**

Crl.O.P.No.2672 of 2025

1.Natarajan

2.Vijayalakshmi

...Petitioners/Accused

Vs.

The Inspector of Police,
T-12, Poonnamalli Police Station,
Poonnamalli,
Thiruvallur District.
(Crime No.78 of 2025)

...Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of
their arrest in Crime No.78 of 2025 on the file of the respondent police.

For Petitioner : Mr.Thiyaga Rajan

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



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ORDER

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 118(1) and 351(3) of the BNS Act, in Crime No.78 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The allegation is that the petitioners/accused and the *de-facto* complainant are neighbours; that due to prior enmity, the petitioners restrained the *de-facto* complainant, abused him in filthy language and attacked him with a wooden log. Hence, the case.

3. The learned counsel for the petitioners submitted that the allegations are false; that the petitioners had already lodged a complaint against the *de-facto* complainant and his associates for the offences under Sections 126(2), 296(b), 118(1) and 351(3) of the BNS Act and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act in Crime No.77 of 2025; and that the instant complaint is false and in any case, the custodial interrogation of the petitioners is not required for the purpose of investigation and sought for anticipatory bail.



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

5. Considering the submissions made on either side, there is a counter case and the fact that the custodial interrogation is not required for the purpose of the investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy was made ready, before the learned ***Judicial Magistrate No.II, Poonnamalli***, 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 said Magistrate, on further condition that:

[a] the sureties shall affix their photographs and Left



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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, everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness 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 B.N.S.

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To

- 1.The Judicial Magistrate No.II,
Poonnamalli.
- 2.The Inspector of Police,
T-12, Poonnamalli Police Station,
Poonnamalli,
Thiruvallur District.
- 3.The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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