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CRL OP NO. 4412 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 4412 of 2025

N.Srinivasan
S/o.Nachimuthu 93, Ammu Nilayam,
K.N.K.Road, Karungalpalayvam, Erode - 638
003

Petitioner(s)

Vs

The State Rep by, The Inspector of Police,
Karungalpalayam Police Station, Erode District.
(Crime. No. 33 of 2025)

Respondent(s)

For petitioner (s): Mr.C S Saravanan

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

ORDER

The petitioner , who apprehends arrest at the hands of the respondent police for the offences punishable under Section 115(2) of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No. 33 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner's son and the de facto complainant's daughter are husband and wife respectively; that they had matrimonial differences; that de facto complainant's daughter was staying at her house; that she took her daughter to the matrimonial house



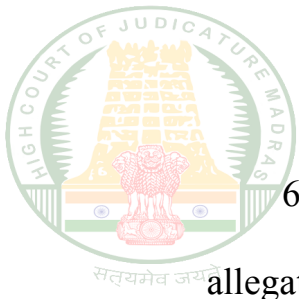
to leave her there; that the petitioner pushed, attacked the de facto complainant's daughter, as a result of which she sustained injuries. Hence, the complainant.

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3. The learned counsel for the petitioner submitted that this is a case of matrimonial dispute; that the petitioner has been falsely implicated in this case; and that in any case custodial interrogation of the petitioner is not required for the purpose of investigation and further submitted that the de facto complainant and her husband are the aggressors, hence, he prayed for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that it is a case of matrimonial dispute and that the injured was discharged from hospital.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and also perused the materials available on record.



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6. Considering the submissions made on either side; nature of allegation; that the relationship between the petitioner and the de facto complainant; age of the petitioner ; and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

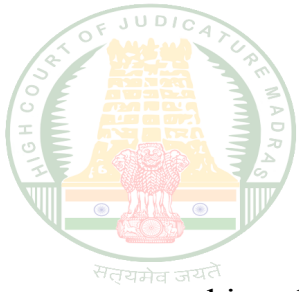
(a) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Additional Mahila Court, Erode** on condition that the petitioner shall execute a bond for 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent police once a week on every Saturday at 10:30 a.m., until further orders;

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court



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SUNDER MOHAN, J.

vca

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.

20.02.2025

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To
1. The State Rep by, The Inspector of Police,
Karungalpalayam Police Station,
Erode District.
(Crime. No. 33 of 2025)

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