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CRL OP NO. 4392 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **19-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 4392 of 2025

1.K.Kathirvel
2.Gnaanasekar
3.K.Kandeepan
4.K.Loganathan

Petitioners/A1 to A4

Vs

The Inspector of Police,
G-3,Melmaruvathur Police Station,
Chengalpattu District. Crime No. 54 of 2025.

Respondent(s)

For petitioners (s): Mr.Raji Rajkumar

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351 (3) of BNS, 2023,Crime No. 54 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute, the

fourth petitioner was living in his hometown; that he came to meet his



child, who is with his wife; that a wordy quarrel arose between the fourth petitioner and the de facto complainant as a result of which the latter sustained injuries. Hence, the complaint.

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3. The learned counsel for the petitioners submitted that a matrimonial dispute is pending between the parties; that the petitioners are innocent; that they have been falsely implicated in this case and that there is a case and counter case and 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 on instructions submitted that the injured was discharged from the hospital.

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

6. Considering the submissions made on either side; nature of allegation; that it is a case of matrimonial dispute; that the injured was discharged from hospital and since custodial interrogation of the



petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

(a) 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 **Judicial Magistrate No. II, Madurantakam** on condition that the petitioners 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 petitioners shall report before the respondent police every day 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 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]**;



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SUNDER MOHAN, J.

vca

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

19.02.2025

vca

To,
The Inspector of Police,
G-3, Melmaruvathur Police Station,
Chengalpattu District. Crime No. 54 of 2025.

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