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CRL OP NO. 5065 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25.02.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 5065 of 2025

1.Moorthi
2.Sarasu @ Sarasa

petitioners/A2 & A3

Vs

The State Rep by, The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai- 600 081.
(Crime. No. 355 of 2025)

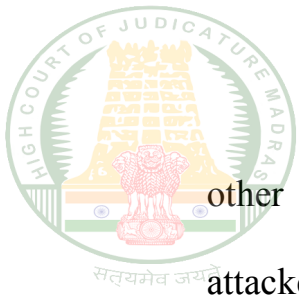
Respondent(s)

For petitioners (s): Mr.R.Nagaraj

For Respondent(s): Mr.S.Santhosh, 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), 351(3) of BNS Act and 4 of TNPHW Act, 2002 in Crime No. 355 of 2025 on the file of the respondent police, seek anticipatory bail.



other accused abused the de facto complainant in filthy language and attacked her. Hence, the complaint.

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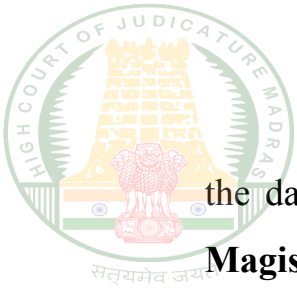
3. The learned counsel for the petitioners submitted that the allegations against the petitioners are false; and that in any case custodial interrogation of the petitioners is not required for the purpose of investigation and hence, sought for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case.

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; 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 **XV Metropolitan Magistrate Court, George Town at Chennai** 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 petitioner/A2 shall stay at Chengalpattu District for two weeks and report before the Chengalpattu Town Police Station, GST Road, Old Bus Stand, Chengalpattu at 10:30a.m., and thereafter, before the respondent police as and when required, until further orders and the petitioner/A3 shall report before the respondent police as and when required;

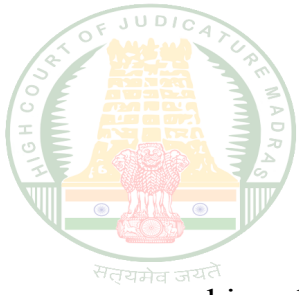
[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[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

SUNDER MOHAN, J.

vca



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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.

25.02.2025

vca

To
The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai- 600 081.
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