



Crl.O.P.No.6225 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05.03.2025**

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 6225 of 2025

1. Vignesh
2. Amutha
3. Mayakrishnan ... Petitioners/A1 to A3
Vs

The State By, The Inspector of Police
Viruthachalam All Women Police Station,
Cuddalore District.
[Cr.No.11 of 2025] ... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on anticipatory bail in the event of his arrest by the respondent police concerned in Crime No.11 of 2025, on the file of the respondent police.

For Petitioners : Mr.Muthamizh Selvakumar P
For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 318(2), 318(4), 318(4), 296(b), 115(2), 351(2) of BNS, 2023 r/w Section 92(a) of the Rights of Person with Disabilities Act, 2016 (317, 294(b), 506(ii) and 324 of IPC) in Crime No.11 of 2025, on the file of the respondent police,



seek anticipatory bail.

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2. It is the case of the prosecution that first accused had a love affair with the defacto complainant; that the elders of the family agreed to get the petitioner married to the defacto complainant and the betrothal function was fixed on 10.02.2025; and that on 09.02.2025 there was a wordy quarrel between the petitioners and the family members of the defacto complainant, as a result of which the petitioners abused the defacto complainant and her mother in filthy language besides making fun of the disability of the defacto complainant. Hence, this case.

3. The learned counsel for the petitioners would submit that the allegations are false; that there is a dispute between the family members of the defacto complainant and the petitioners; that the petitioners have been falsely implicated in this case; and that in any case, custodial interrogation of the petitioners, is not required for the purpose of investigation and prayed for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) reiterated the prosecution case and opposed the grant of anticipatory bail to the



petitioners.

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5. Considering the nature of allegations and the fact that the dispute is with regard to the conduct of marriage, this Court is of the view that custodial interrogation of the petitioners is not required for the purpose of investigation and 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 days from the date on which the order copy made ready, before **the learned Judicial Magistrate No.II, Viruthachalam** 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 learned Magistrate concerned and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left 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.



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[b] Petitioners 1 and 3, shall report before the respondent police, twice a week i.e., on Monday and Thursday at 10.30 a.m., until further orders; and the 2nd petitioner, shall report before the respondent police, as and when required for interrogation;

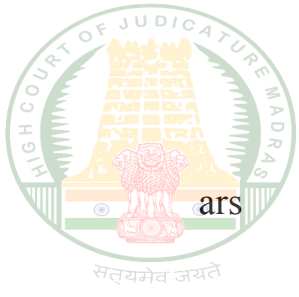
[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

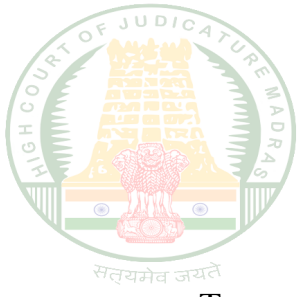
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SUNDER MOHAN, J.

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1. The State By, The Inspector Of Police
Viruthachalam All Women Police Station,
Cuddalore District.

2. The Public Prosecutor,
High Court, Madras.

3. The Judicial Magistrate No.II,
Viruthachalam.

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