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Crl.OP.No.8071 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.8071 of 2025

1. M.Meganathan

2. Sarika

... Petitioner(s) /Accused

Vs.

The Inspector of Police,

G-1, Madurantagam Police Station,

Madurantagam, Chengalpet District.

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on bail in the event of their arrest in the above case in Crime No.12 of 2025 dated 06.01.2025 registered for the alleged offences punishable under Sections 296(b), 115(2) and 351(2) of BNSS Act, r/w Section 4 of TNPHW Act, pending investigation on the file of the respondent police.

For petitioner(s) : Mr.K.A.Mariappan

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



Crl.OP.No.8071 of 2025

ORDER

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2. The case of the prosecution is that on account of prior enmity, the petitioner attacked the defacto complainant and abused her in filthy language.

3. The learned counsel appearing for the petitioner submitted that the allegations are false; that no injuries were sustained by the defacto complainant; and that in any case, custodial interrogation is not required and sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case; and that there is no bad antecedents against the petitioner.



WEB COPY

5. Considering the nature of allegations, the fact that no injuries were sustained by the defacto complainant, 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 with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **Judicial Magistrate No-I, Madurantagam**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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.



CrI.OP.No.8071 of 2025

[b] the petitioner shall appear before the respondent police

WEB COPY daily at 10.30 a.m., until further orders.

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

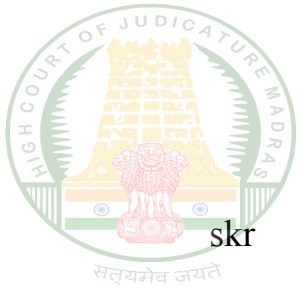
[d] the petitioner shall not abscond either during
investigation or trial.

[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 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 BNS.

19.03.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No



CrI.OP.No.8071 of 2025

WEB COPY

1. The Inspector of Police,
G-1, Madurantagam Police Station,
Madurantagam, Chengalpet District.
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. Judicial Magistrate No-I, Madurantagam



WEB COPY



CrI.OP.No.8071 of 2025

SUNDER MOHAN, J.

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CrI.OP.No.8071 of 2025

19.03.2025