



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.8237 of 2025

1.R.Jagadeesh

2.R.Umamaheswari

... Petitioners

Vs.

The State, Represented by

The Inspector of Police

P-3, Vyasarpadi Police Station

Chennai District

(Crime No.89 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the Petitioners on bail in the event of arrest in Crime No.89 of 2025, on the file of the respondent Police.

For Petitioners : Mr.Selva Kumar

For Respondent : Mr.S.Santhosh

Government Advocate (CrI.Side)

ORDER

The Petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 296(b), 115(2) and 118(1) of BNS, r/w. Section 4 of the Women Harassment Act, in Crime No.89 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that, due to previous enmity the petitioners assaulted the de facto complainant, caused him injuries.

3.The learned counsel appearing for the Petitioners submitted that the



Petitioners are innocent; that they have been falsely implicated in this case and prayed for anticipatory bail for the Petitioners.

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4.Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the Petitioners, reiterated the prosecution case and on instructions submitted that the Petitioners has no bad antecedents and injured has already been discharged from the hospital.

5.Heard the learned counsel for the Petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.

6.Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, the fact that the Petitioners has no bad antecedents and the injured has already been discharged from the hospital and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the Petitioners with certain conditions.

7.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 Metropolitan Magistrate X, Egmore** 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, failing which, the petition for anticipatory bail shall stand dismissed 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.

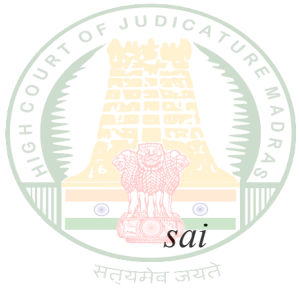
[b] the first Petitioner shall report before the respondent police on every Monday and Thursday at 10.30 am, until further orders and the second Petitioner shall report before the respondent police as and when required.

[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 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 B.N.S.



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SUNDER MOHAN, J.

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- To
- 1.The Metropolitan Magistrate X, Egmore
 - 2.The Inspector of Police
P-3, Vyasarpadi Police Station
Chennai District
 - 3.The Public Prosecutor,
High Court of Madras.

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