



Crl.OP.No.10403 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 09.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10403 of 2025

1.Saleem
2.Anbarasi

.. Petitioners

Vs.

The State rep by
The Inspector of Police,
All Women Police Station,
Vaniyambadi, Thirupathur District.
(Crime No.05 of 2025)

.. Respondent

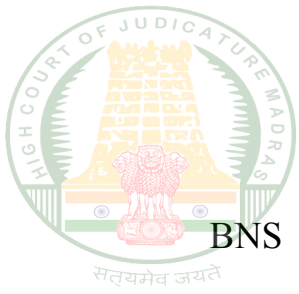
PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of their arrest in Crime No.05 of 2025 on the file of the respondent
Police.

For Petitioner : M/s.G.Vinodh Kumar

For Respondent : 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 Section 296(b), 74, 75(2), 78(2) of



BNS 2023 and Section 67A of I.T Act in Crime No.05 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner stalked the defacto complainant, used obscene language and touched her inappropriately and that the defacto complainant informed the same to the second petitioner, but the second petitioner did not respond and supported the actions of the first petitioner.

3. The learned counsel appearing for the petitioners submitted that the affidavit has been filed by the first petitioner stating that he will not disturb the defacto complainant in future; that the 2nd petitioner is the sister of the defacto complainant and prayed for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and submitted that there is a family dispute between the petitioners and the defacto complainant.



WEB COPY 5. The affidavit filed by the first petitioner is taken on record.

Considering the nature of allegations, the affidavit filed by the first petitioner, the fact that there is a family dispute between the petitioners and the defacto complainant, 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 petitioner 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 is made ready, before the **Judicial Magistrate, Vaniyambadi**, on condition that the petitioner 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 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



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copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily 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]**;

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

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Index : Yes / No

Internet : Yes / No

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To

- 1.The Inspector of Police,
All Women Police Station,
Vaniyambadi, Thirupathur District.
- 2.The learned Judicial Magistrate, Vaniyambadi.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

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