



Crl.O.P.No.14503 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.14503 of 2025

and

W.M.P No.10301 of 2025

1.Tamil Selvan
2.Nedumaran

... Petitioners

Vs.

State rep. by
The Inspector of Police
Tondiarpet Police Station
Chennai.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest by the respondent police in Crime No.349 of 2025 pending investigation on the file of the respondent police.

For Petitioners : M/s.S.Thankira
For M/s.S.Siva Kumar
For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)



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ORDER

The petitioners, who apprehend arrest for the alleged offences under Sections 296(b), 115(2) & 351(2) of BNS r/w 4 of Women Harassment Act, in Crime No.152 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that following a wordy quarrel, the petitioners abused the de-facto complainant in filthy language and also attacked her. Hence the case.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. However, on instructions, the learned counsel further submits that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured has been treated as outpatient. Hence, he opposed for grant of anticipatory bail to the petitioners.



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5. Heard both sides 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 and the injured has been treated as outpatient, 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 (15) days from the date of receipt of a copy of this order, before the ***learned XV Metropolitan Magistrate, George Town***, 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 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 petitioners shall report before the respondent Police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for further interrogation;



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[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness 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.

Consequently, connected miscellaneous petition is closed.

23.06.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To

1. The XV Metropolitan Magistrate
George Town.
2. The Inspector of Police
Tondiarpet Police Station
Chennai.
3. The Public Prosecutor,
High Court of Madras.

G.K.ILANTHIRAIYAN, J.

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