



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

WEB COPY

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15277 of 2025

1.Subbaraman.K

2.Jayammal

3.Janaki.R

4.Mahalakshmi.M

.. Petitioners

Vs.

The State rep by
The Inspector of Police,
Periyapalayam Police Station,
Tiruvallur District.
(Crime No.131 of 2025)

.. 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 arrest in Crime No.131 of 2025 on the file of the respondent police.

For petitioners : Mr.A.Vijayasankar
For Respondent : Mr.V.Meganathan
Government Advocate(Criminal Side)

ORDER



The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 296 (b), 118 (1), 351 (3) of BNS Act and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.131 of 2025, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioners attacked the defacto-complainant and her family members and abused them in filthy language, pursuant to which, the defacto-complainant's left hand got injured. Hence the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they had been falsely implicated in this case. He further submitted that the custodial interrogation of the petitioners is not required and sought for anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal 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 injured has been discharged from the hospital.

WEB COPY

5. Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, they 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 of receipt of a copy of this order, before the **learned District Munsif Judicial Magistrate, Uthukottai**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 said Magistrate, on further condition that:

[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial



WEB COPY



Form No.46 annexed to 'The Criminal Rules of Practice, 2019'].
The learned Magistrate shall obtain a copy of any one of
identify proofs to ensure their identity;

**[c] the petitioners shall report before the respondent
Police daily at 10.30 a.m until further orders;**

[d] the petitioners shall not directly or indirectly cause
any threat to the defacto complainant and witnesses and shall
not tamper with evidence or witness either during investigation
or trial;

[e] the petitioners shall make himself available for
interrogation by a Police office as and when required;

[f] the petitioners to give an undertaking that if required
for being identified by witnesses during investigation or for
Police custody beyond the first fifteen days, he shall comply to
the directions as may be given by the Court in this regard;

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

[h] 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 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];



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

WEB COPY

15.05.2025

Index : Yes / No
Internet : Yes / No
rkp/ep

To

- 1.The Inspector of Police,
Periyapalayam Police Station,
Tiruvallur District.
- 2.The District Munsif Judicial Magistrate, Uthukottai.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

M.NIRMAL KUMAR, J.

ep/rkp



WEB COPY

Crl.OP.No.15277 of 2



Crl.O.P.No.15277 of 2025

15.05.2025