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Crl.O.P.No.15217 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15217 of 2025

1.R.Rajendran
2.R.Saranya

.. Petitioners

Vs.

State Rep by
The Sub Inspector of Police,
Palladam Police Station,
Tiruppur District.

.. 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 in Crime No.514 of 2025 on the file of the respondent.

For Petitioners : Mr.A.Tamilarasan

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER



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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(1), 118(1), 351(1) of Bharatiya Nayaya Sanhita, 2023 and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 1998 in Crime No.514 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are husband and wife. The allegation against the petitioners are that, due to property dispute, they had assaulted the defacto complainant using iron rod, due to which, defacto complainant sustained injuries. Hence, the case.

3. Learned counsel appearing for the petitioner submits that the petitioners' father Ramasamy has executed a settlement deed in favour of the defacto complainant which was later cancelled. Thereafter the petitioner had entered the common property which was registered by the defacto complainant and therefore there arose a wordy quarrel. Hence, he prays for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the



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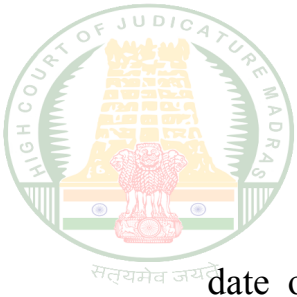
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respondent Police while opposing the grant of anticipatory bail to the petitioners submits that the defacto complainant was attacked by the 1st petitioner with an iron rod and he was discharged from the hospital. Further he submits that it is a case in counter. The counter case has been registered in Crime No.518 of 2025 and the Anticipatory Bail has been granted to the defacto complainant in that case.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record.

6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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



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date on which the order copy made ready, before **the learned Judicial Magistrate, Palladam**, 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, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioner 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 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 petitioner shall report before the respondent Police for a period of two weeks and thereafter as and when required for interrogation;**

[d] the petitioner 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



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trial;

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

[f] the petitioner 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 petitioner 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 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];

M.NIRMAL KUMAR, J.

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

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To

- 1.The Sub Inspector of Police,
Palladam Police Station,
Tiruppur District.
- 2.The Judicial Magistrate,
Palladam.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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