



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.15454 of 2025

1.Abinesh Kumar
2.Santhosh Kumar

... Petitioners

-VS-

The State Represented by,
The Inspector of Police,
Singarapettai Police Station,
Uthangarai Taluk,
Krishnagiri District.
(Crime No.138 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail in
the event of their arrest by the respondent police in Crime No.138 of 2025
pending investigation on the file of the respondent police.

For Petitioners : Mr.Pradeep

For Respondent : Mr.A.Gopinath,

Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent



WEB COPY

police for the alleged offences under Sections 296(b), 126(2) of BNS 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.138 of 2025, seek anticipatory bail.

2. The case of the prosecution is that on 28.04.2025 around 07.30 p.m, while the defacto complainant was returning to her house in a two-wheeler, the petitioners alleged to have waylaid the defacto complainant and abused her by obscene words and harassed her by using filthy language. Hence the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this court. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police submitted that on the date of the alleged occurrence, the petitioners along with another person scolded and abused the defacto complainant with filthy language and also pulled her hand. However, he



opposed to grant anticipatory bail to the petitioners.

WEB COPY 5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the arguments from both sides and the nature of the offence, this court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, this Criminal Original Petition stands allowed and the petitioners are ordered to be released on anticipatory 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 Judicial Magistrate, Uthangarai, Krishnagiri District**, on condition that the petitioners shall execute a 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 learned Magistrate concerned and on further conditions that:

(a) the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.



WEB COPY

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

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

21.05.2025

gv/jai

“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.”



WEB COPY **To**

1. The learned Judicial Magistrate, Uthangarai.
2. The Inspector of Police,
Singarapettai Police Station,
Uthangarai Taluk,
Krishnagiri District.
3. The Public Prosecutor,
High Court, Madras.



WEB COPY



N.SENTHILKUMAR,J

gv/jai

Crl.O.P.No.15454 of 2025

21.05.2025