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Crl.O.P.No.15485 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.15485 of 2025

1. A.George Fernandez, M/A 26 years
s/o Alexsandar

2. A.Allwin Salamon, M/A 29 years
s/o Alexsandar

... Petitioners/A1 & A2

Vs.

State rep. by
The Inspector of Police,
Andimadam Police Station, Ariyalur District.
(Crime No. 164 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of B.N.S.S.,
2023, to enlarge the petitioner on bail in the event of their arrest in Crime
No.164 of 2025 pending investigation on the file the respondent police

For Petitioners : Mr.Gandhi Kumar Kalyanasundram

For Respondent : Mr. A.Gopinath
Government Advocate (Crl.Side)



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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 296(b), 118(1), 131 and 351(3) of BNS Act 2023/ 294(b), 324, 352 and 506 of IPC in Crime No.164 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner married the sister of the de-facto complainant and thereafter, there arose matrimonial dispute between them. The further case of the prosecution is that due to the harassment of her husband, the de-facto complainant went to her parents home, where, the petitioners came and abused the de-facto complainant in filthy language and attacked her with knife and also threatened with dire consequences. In view of the attack made by the petitioners, the deacto complainant sustained injuries and she was admitted in hospital. 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. He further submitted that there exists matrimonial dispute between the first petitioner and the de-facto complainant and in view of the same, a false



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complaint has been lodged against the petitioners. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that due to the matrimonial dispute between the first petitioner and the de-facto complainant, the petitioners attacked the de-facto complainant and she sustained injuries. He further submitted that the injured was discharged from hospital and he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (crl.side) appearing for the respondent.

6. Taking into consideration the facts and circumstances of the case and also considering the submissions made by the counsels on either side, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, this petition is 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



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copy made ready, before the **learned Judicial Magistrate-II, Jayankondam** 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 condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the concerned Magistrate/Judge may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the concerned Magistrate/Judge on every Monday to Friday at 10.30 a.m. and further report before the respondent police on every Saturday and Sunday at 10.30.a.m. until further orders.

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

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[f] 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***



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[(2005)AIR SCW 51340];

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

21.05.2025

mst

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 official website of this Court will be watermarked and will also have a QR code.**

To

1. The Judicial Magistrate - II, Jayankondam.
2. The Inspector of Police, Andimadam Police Station, Ariyalur District.
3. The Public Prosecutor, High Court of Madras.



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N.SENTHILKUMAR,J.

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