



WEB COPY



CrI.O.P.No.16741 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13.06.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.16741 of 2025

1.S.K.Jaibunnisa
2.Shaik Rafi

... Petitioners/Accused 1 & 2

Vs.

State represented by
The Inspector of Police
T-13, Kunrathur Police Station
Chennai 600 069.
(Crime No.Not Known of 2025).

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioners on bail in
the event of their arrest in Crime No.Not Known of 2025, dated 27.05.2025
under Section 120(2) of BNS 2023 on the file of the respondent police.



Crl.O.P.No.16741 of 2025

WEB COPY

For Petitioners : Mr.Ramasamy M

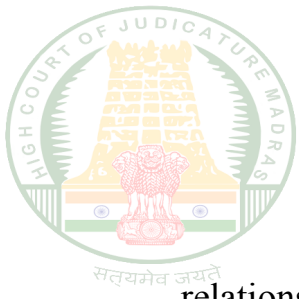
For Respondent : Mr.R.Vinothraja

Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 120(2) of BNS, 2023, in Crime No. Not Known of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The contention of the petitioner is that the defacto complainant is none other than the daughter of the first petitioner and sister of the second petitioner. The defacto complainant was married and she got separated from her husband and now residing with her father, with whom the first petitioner has got some misunderstanding and they have estranged their



Crl.O.P.No.16741 of 2025

WEB COPY

relationship and living separately. Under the guise of enquiry, the petitioners have been constantly harassed by the respondent. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Therefore, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that in this case, now the case is registered in Crime No.223 of 2025, for offences under Sections 126(2), 296(b), 118(1) & 351(3) of BNS Act, 2023. The first petitioner and her husband S.K.Jilani Basha are living separately. They have one son and one daughter who is the defacto complainant. The defacto complainant got separated from husband



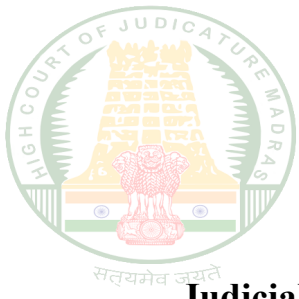
Crl.O.P.No.16741 of 2025

and now living with her father and also demanding the ancestral property due to some family dispute. Therefore, he opposed for granting anticipatory bail to the petitioners.

5. 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.

6. Considering the submissions made on either side, 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 days from the date on which the order copy made ready, before the **learned**



CrI.O.P.No.16741 of 2025

WEB COPY

Judicial Magistrate Court, Sriperumbadur, Kancheepuram District, on

condition that the petitioners 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 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 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 everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;



CrI.O.P.No.16741 of 2025

WEB COPY

[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 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];



WEB COPY



CrI.O.P.No.16741 of 2025

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

13.06.2025

dna

To:

- 1.The Judicial Magistrate Court, Sriperumbadur,
Kancheepuram District.
- 2.The Inspector of Police
T-13, Kunrathur Police Station
Chennai 600 069.
(Crime No.Not Known of 2025).
- 3.The Public Prosecutor,
High Court Madras.



WEB COPY



Crl.O.P.No.16741 of 2025

M.NIRMAL KUMAR, J.

dna

Crl.O.P.No.16741 of 2025

13.06.2025