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CRL OP No. 17851 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17851 of 2025

A Bharathi

Petitioner(s)

Vs

The State Rep By, The Inspector Of
Police
All Women Police Station, Puzhal,
Chennai District. (Crime No.6 of 2025).

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of
arrest pending investigation in Crime No.6 of 2025 on the file of the
Respondent Police.

For Petitioner(s): Mr.M. Dhanraj

For Respondent(s): M/s. R. Vinoth Raja Ga (crl.
Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 75 Juvenile Justice Act, in Crime No.6 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant, Mr.Suya Prakash, husband of the petitioner, lodged a complaint alleging that the petitioner tortures their two children, a male and a female, born out of their love marriage on 28.10.2012, and fails to provide them with food. Hence, the case.

3.The learned counsel for the petitioner is innocent; that she has been falsely implicated in this case; and that in any case custodial interrogation of the petitioner is not required for the purpose of investigation. He further submitted that the petitioner filed divorce case against the defacto complainant to the Sub Court, Ambattur in HMOP No.204 of 2025 and the same is pending. In the mean time, the defacto complainant lodged a false complaint against the



petitioner. Hence, he prayed for grant of anticipatory bail to the petitioner.

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4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner tortured her children, born out of their love marriage on 28.10.2012, and fails to provide them with food. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts and circumstances of the case and also considering the submissions made on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the ***District Munsif Cum Judicial Magistrate, Madhavaram, Chennai*** 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 further condition that:

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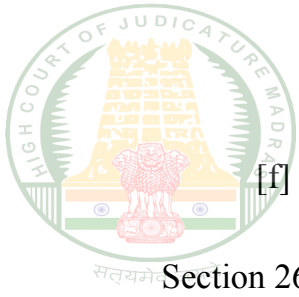
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for further interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] 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];**



[f] If the accused thereafter absconds, a fresh FIR can be registered under

Section 269 of B.N.S.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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- 1.The State Rep By, The Inspector Of
Police
All Women Police Station, Puzhal,
Chennai District. (Crime No.6 of 2025).
- 2.The District Munsif cum Judicial
Magistrate, Madhavaram, Chennai.
- 3.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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