



CrI.O.P.No.19131 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.19131 of 2025

1.Abhilashkumar Rameshkumar
2.Swathi

... Petitioners

Vs

State rep by
the Inspector of Police,
E-1Mamallapuram Police Station,
Kovalam Road, Fisherman Colony
Mamallapuram, Kanchipuram District.
(Crime No.Not Known of 2025)

... Respondent

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

For petitioners : Mr.R.C.Paul Kanagaraj
for Mr.S.Lokesh
For Respondent : Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor



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ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 126(2), 296(b), 115(2), 324(4) & 351(3) of BNS, r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 1998, in Crime No. Not Known of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to a wordy quarrel between the petitioners and the defacto complainant in vacating a room, the petitioners and defacto complainant attacked each other. Hence, the case.

3. The learned counsel for petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, prayed for anticipatory bail to the petitioners.



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4.The learned Additional Public Prosecutor appearing for the respondent police while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and it is now submitted by the learned Additional Public Prosecutor that the case is registered in Crime No.171 of 2025 for an offences Under Sections 191(2), 126(2), 296(b), 115(2), 324(4) & 351(3) of BNS r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998.

5.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent Police and perused the materials available on record.

6.Considering the submissions made on either side, it is seen that the petitioners are husband and wife and they had gone to attend a function in Chengalpattu and had come to drop their relatives at Devaneri Kuppam since it was late in the night. It is also seen that the petitioners were tired and since



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it was almost 3.30 a.m., they took a room and stayed for the night. The manager of the hotel in the middle of the day, forced the first petitioner and his wife to vacate the place which was questioned and there was a wordy quarrel. The petitioners had also lodged a complaint against the hotel management and the same has been registered in Crime No.172 of 2025. In view of the same, 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 District Munsif-cum-Judicial Magistrate, Thirukazhukundarm**, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the



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petition for anticipatory bail shall stand dismissed and on further condition

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that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

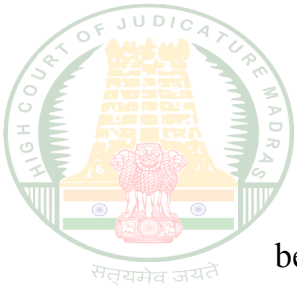
[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] the petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[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 themselves available for interrogation by the respondent as and when required;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for custody



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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];

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

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To

1.The District Munsif-cum-Judicial Magistrate,
Thirukazhukundarm.

2.The Inspector of Police,
E-1Mamallapuram Police Station,
Kovalam Road, Fisherman Colony
Mamallapuram, Kanchipuram District.
(Crime No.Not Known of 2025)

3.The Public Prosecutor,
High Court Madras.



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M.NIRMAL KUMAR, J.

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