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Crl.O.P.Nos.18907 & 18908 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.18907 & 18908 of 2025

Ezhilarasan

... Petitioner/A2
in Crl.O.P.No.18907 of 2025

Tamilarasan

... Petitioner/A1
in Crl.O.P.No.18908 of 2025

Vs.

The State rep. by
The Inspector of Police,
All Women Police Station-Sriperumbudur,
Kancheepuram.
(Crime No.10 of 2025)

... Respondent
in both Crl.O.Ps'

PRAYER in Crl.O.P.No.18907 of 2025: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in the event of his arrest in Crime No.10 of 2025 on the file of the respondent police pending investigation.

PRAYER in Crl.O.P.No.18908 of 2025 : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in the event of his arrest in Crime No.10 of 2025 on the file of the respondent police pending investigation.



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For Petitioners : Mr.K.Karthik

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

COMMON ORDER

The petitioners/A1 & A2 were apprehends for the offence punishable under Sections 69, 74, 115(2), 351(2) of BNS r/w under Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act 2022 in Crime No.10 of 2025, registered on the file of the respondent, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners/A1 and A2 are brothers. The de facto complainant and the petitioner/A1 were in a love affair and had a physical relationship. The petitioner/A1 suspected the de facto complainant and refused to marry her. It is alleged that the petitioners abused the de facto complainant with filthy language. Hence, the case.

3. The learned counsel for the petitioners would submits that the petitioners are innocent and the case has been falsely foisted against them by the respondent for statistical purposes. The petitioners are ready and willing to abide by any conditions that may be imposed by this Court and hence, he



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prays to grant anticipatory bail to the petitioners.

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4. Learned Government Advocate (Crl.Side) appearing for the respondent Police while opposing the grant of anticipatory bail to the petitioners reiterated the prosecution case.

5. Having 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, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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 Judicial Magistrate Court, Sriperumbudur** 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:

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[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 for a period of two weeks and thereafter as and when required for interrogation;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto 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;



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[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.

21.07.2025

cda

To

- 1.The Judicial Magistrate Court,
Sriperumbudur.
- 2.The Inspector of Police,
All Women Police Station-Sriperumbudur,
Kancheepuram.
- 3.The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

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