



CrI.O.P.No.19697 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.19697 of 2025

1.T.Sathish Kumar

2.Thirunavukarasu

3.Shanthi

4.Gomathy

5.Ashok Kumar

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
All Women Police Station,
Kancheepuram,
Kancheepuram District.

Crime No.35 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of
arrest in connection with Crime No.35 of 2025 on the file of respondent Police.

For Petitioners : Mr.J.Suresh

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



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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296 (b), 115, 85, 351 of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.35 of 2025, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner is the husband of the defacto-complainant, second and third petitioners are the parents of the 1st petitioner. The fourth petitioner is the sister of first petitioner and fifth petitioner is the husband of the fourth petitioner. The marriage between the first petitioner and the defacto-complainant took place on 17.11.2024. Right from the marriage their relationship was not fruitful. It is alleged that the first petitioner used to share the private talks and photographs between him and his wife to other family members. Further, she was abused and assaulted. The first petitioner threatened that he would post the private photographs in social media, if the defacto-complainant does not act as per his wish. Hence the case.

3.The learned counsel appearing for the petitioners submits that the



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petitioners had not committed any offence as alleged by the prosecution and had been falsely implicated in this case. The petitioners further submitted that first petitioner is ready to handover his mobile phones and other electronic devices to respondent Police for investigation. Hence, prayed for anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal side) reiterated the prosecution and opposed to grant anticipatory bail to the petitioners.

5. Considering the submissions made by the learned counsel appearing on either sides, and since, custodial interrogation of the petitioners is not required, 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 No.1, Kancheepuram** on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each with two**



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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 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 Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the first, second and fifth petitioners shall report before the respondent Police everyday at 10.30 a.m. for a period of two weeks; thereafter as and when required for interrogation; the third and fourth petitioners shall report before the respondent police as and when required for interrogation;

[d] the respondent Police is directed to verify the first petitioner's mobile phone to check whether any indiscriminating photographs are present, otherwise, the same to be returned to the first petitioner;



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[e] the petitioners shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[f] 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;;

[g] 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;

[h] The petitioners shall not interfere with the property of the defacto complainant and to that effect an undertaking shall also be filed by the petitioner;

[i] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

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



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To

1.The Judicial Magistrate No.1,
Kancheepuram

2.The Inspector of Police,
All Women Police Station,
Kancheepuram,
Kancheepuram District.

3.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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