



WEB COPY



Crl.O.P.No.20142 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20142 of 2025

1.R.Ubendra

2.B.Premkumar

3.M.Akash

... Petitioners

Vs.

The State represented by,
The Sub-Inspector of Police,
Pallikkarana Police Station
(Crime No.427 of 2023)

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of their arrest in connection with Crime No.427 of 2023 on the file of respondent Police.

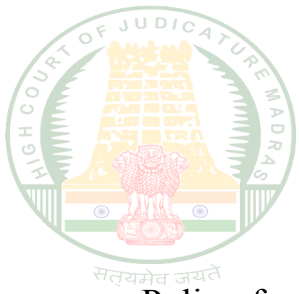
For Petitioner : Mr.S.Parthasarathi

For Respondent : Mr.Leonard Arul Joseph Selvam

Government Advocate (Criminal Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent



Crl.O.P.No.20142 of 2025

Police for the offences under Sections 427, 324 and 506(ii) of IPC, in Crime No.427 of 2023, on the file of the respondent, seeks anticipatory bail.

2. The case of the prosecution is that there is a dispute with regard to illegal intimacy between the defacto complainant and the first petitioner's mother, for which, the petitioners went to the house of the defacto complainant, abused the defacto complainant in filthy language and also threatened him with dire consequences. Hence, the case.

3. The contention of the learned counsel appearing for the petitioners is that the petitioners are innocent and have been falsely implicated in this case. He further submitted that the petitioners have also lodged a complaint against the defacto complainant in Crime No.428 of 2023. Hence, he prays for the grant of anticipatory bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting anticipatory bail to the petitioner. He also submitted that it is a case and case in counter. He further submitted that there is no previous case against the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the submission made by the learned counsel appearing



Crl.O.P.No.20142 of 2025

on both sides and the nature of the allegations, this Court is inclined to grant anticipatory bail to the petitioners subject to 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 **Judicial Magistrate, Tambaram**, on condition that petitioners shall execute separate 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, 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 petitioners shall report before the respondent Police as and when required for interrogation;**



Crl.O.P.No.20142 of 2025

WEB COPY

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

[e] 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;

[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] 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]**;



Crl.O.P.No.20142 of 2025

WEB COPY

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

28.07.2025

drl

To

1. The Judicial Magistrate,
Tambaram.
2. The Sub-Inspector of Police,
Pallikaranai Police Station
3. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.20142 of 2025

M.NIRMAL KUMAR, J.

drl

Crl.O.P.No.20142 of 2025

28.07.2025