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CRL OP No. 20126 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 20126 of 2025

1. Selvakumarai

W/o.Kannan

2. Kannan

S/o.Perumal

3. Kayal Alias Kayalsabaka

D/o.Kannan, All are residing at Sastha Petitioners

Nagar, Manamadurai, Sivagangi

District.

Vs

1. State rep. by

The Inspector of Police, All Women Police Station, Central, Respondent(s)

Coimbatore District. Crime No.26 of 2025

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail in the event of their arrest in Crime No.26 of 2025, on the file of the respondent police.

For Petitioner(s): Mr.W.Camyles Gandhi

For Intervenor: Mrs.S.Shamili, party in person

For Respondent(s): Mr.S.Udayakumar

Government Advocate (Crl. Side)

**ORDER**

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The petitioners, who apprehend arrest by the respondent police for the offences punishable under Sections 64, 318(2), 85, 296(b), 351(2) of BNS, in Crime No.26 of 2025, seek anticipatory bail.

2.As per the direction of this Court, the petitioners 1 and 2 and the defacto complainant appeared before the Court. The defacto complainant alleged that she married Guhan, the son of the petitioners 1 and 2, in a love marriage on April 13, 2025, and they began their marital life at her mother's residence in TVS Nagar, Coimbatore. However, when Guhan visited his native place in Manamadurai, the petitioners allegedly instigated him against the defacto complainant and attempted to send him abroad, leading to ill-treatment of the defacto complainant by the petitioners. Consequently, she filed a complaint with the respondent police.

3.The learned counsel appearing for the petitioners would submit that the petitioners 1 and 2 are not aware of the marriage of their son with the defacto

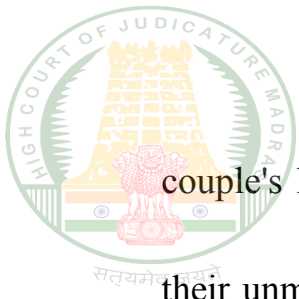


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complainant and also stated that they are not interfered with their matrimonial life. Hence, he prayed for anticipatory bail to the petitioners. To verify the same, the petitioners 1 and 2 and the defacto complainant are appeared before this Court.

4.The defacto complainant alleges that after their marriage, her husband Guhan lived with her happily initially. However, after visiting his native place, he changed, became unresponsive, and attempted to evade her and go abroad. In contrast, the petitioners (Guhan's parents) claim they have had no contact with their son for nearly four months, deny any interference in his marital life, and assert that they have not been in touch with him since their last interaction four months prior.

5.Considering that the defacto complainant and her husband Guhan are majors who married out of their own free will, and the petitioners were unaware of the marriage. It is clear that the complaint arose from disturbance in their marital life. The petitioners have stated that they do not intend to interfere in the



couple's life. Moreover, the petitioners have pointed out that the 3rd petitioner, their unmarried daughter, has been unnecessarily implicated in the case, which is affecting her studies.

6. Considering the entire facts that marriage of the defacto complainant and the Guhan/A1 was love marriage and without consent of the petitioners 1 and 2, the marriage was performed. Thereafter, they continued their life at Coimbatore. Therefore, the petitioners still they are not inclined to interfere with the affairs.

7. Taking note of the facts and circumstances of the case, the nature of allegations, that the petitioners are not interested to cause any interference with the marital life of their son and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from



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the date of receipt of a copy of this order before the *learned Judicial*

Magistrate (Additional Mahaila Court, Coimbatore), on condition that the

petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten**

Thousand Only) each, with two common sureties, 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

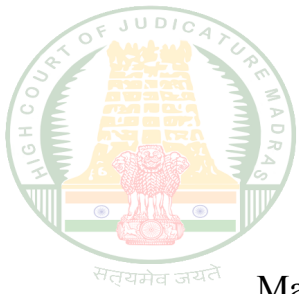
condition that:

(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 petitioners shall report before the respondent police as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;



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(f) 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]*; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

10-09-2025

Gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1.State rep. by

The Inspector of Police, All Women
Police Station, Central, Coimbatore
District. Crime No.26 of 2025

2.The Judicial Magistrate (Additional
Mahaila Court), Coimbatore.

3.The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI J.

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