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Crl.OP.No.23315 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23315 of 2025

1. R.Bharath Kumar
2. J.Raja Sekar
3. R.Santhi
4. J.T.Arasu @ J.Thirunavukkarasu ... Petitioners

Vs.

The Inspector of Police,
Tiruvallur AWPS,
Tiruvallur District. ... Respondent
(Cr.No.23 of 2025)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest by the respondent police in Tiruvallur AWPS in Cr.No.23 of 2025 pending investigation on the file of the respondent.

For Petitioners : Mr.Haja Mohideen Gisthi
For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl.Side)



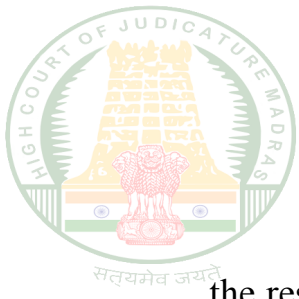
ORDER

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The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 351(2), 87, 137 (2), 127(2), 69 and 318(2) of BNS,2023, in Crime No.23 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner had promised the defacto complainant that he will marry her and impregnated her for more than thrice and forced to abort her. Thereafter, the other petitioners herein had arranged marriage of the first petitioner, knowing well about that the first petitioner had love affair with the defacto complainant and impregnated her. Hence, the case.

3.The learned counsel appearing for the petitioner states that the petitioners the FIR is only against the first petitioner and the other petitioners are not involved in the offence under Section 69 BNS Act. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the case is at investigation stage and for granting anticipatory bail for these petitioners at this stage is not appropriate for proper investigation. Hence, he opposed to grant bail to the petitioner.

5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the gravity of the offence committed by the first petitioner, this Court is not inclined to grant anticipatory bail to the first petitioner and nature of the complaint against the other petitioners 2 to 4 and since custodial interrogation of the petitioners 2 to 4 is not required, this Court is inclined to grant anticipatory bail to the petitioners 2 to 4 with certain conditions.

7. Accordingly, the petitioners 2 to 4 are ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days (10) from the date of receipt of a copy of this order, before the ***learned Judicial Magistrate-I, Tiruvallur*** on condition that each of the petitioners 2 to 4 shall execute separate bonds for a sum of **Rs.25,000/- (Rupees Twenty**



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Five 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 2 to 4 fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, 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 2 to 4 shall report before the respondent police daily at 10.30 a.m., until further orders;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners 2 to 4 in accordance with law as if the aforementioned conditions have been imposed and the petitioners 2 to 4



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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]**;

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

8. This Criminal Original petition stands dismissed in respect of the first petitioner.

25.08.2025

Vv

To

- 1.The Judicial Magistrate-I,
Tiruvallur.
2. The The Inspector of Police,
Tiruvallur AWPS,
Tiruvallur District.
3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

Vv

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