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Crl.O.P.No.22199 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2025

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THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.22199 of 2025

M.Karthikaa

... Petitioner

Vs.

1.State by the Inspector of Police,
All Women Police Station,
Periyanaickenpalayam Police Station,
Coimbatore District.
(Cr.No.12/2025) (Zero FIR)

2.The Inspector of Police,
All Women Police Station,
Rasipuram, Namakkal District.
(Cr.No.Not Known of 2025)

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Cr.No.12/2025 on the file of the respondent police.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.S.Udayakumar

Government Advocate (Crl. Side)

ORDER

The petitioner apprehends arrest for the alleged offence **under Section 82(1), 85 of BNS Act altered into 82(1), 85, 296(b), 351(1) of BNS Act, 2023** in **Crime No.12 of 2025**, on the file of the respondent police seeks anticipatory



bail.

2. The case of the prosecution is that the defacto complainant and A1/Thillaikarasan are husband and wife. A1 had done bigamous marriage with A6/M.Karthikaa. On questioning the same, A1 along with other accused alleged to have attacked the defacto complainant by using unparliamentary words and affirmed that A1 would not live with the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and also ready to cooperate for investigation. He further submitted that co-accused in this case has already been granted anticipatory bail by this Court in Crl.OP.Nos.19401 & 19032/2025 dated 25.07.2025. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police on instructions reported that A1 along with other accused alleged to have attacked the defacto complainant by using unparliamentary words. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and the



submissions made by the learned counsel on either side, it is seen that, in this case, there was a matrimonial dispute between A1 and the defacto complainant.

Their marriage took place on 11.09.2023. Both are software engineers working in Bangalore. A1's father belongs to a different community which was not disclosed to the defacto complainant. Hence, the defacto complainant is not interested in continuing the matrimonial life with accused No.1, pursuant to which, both decided to get separated and compromise was arrived during March 2023. Since the demand was huge, unable to meet immediately, he took some time for making arrangements. In the meanwhile, A2 mother of A1 was arrested in this case by the respondent police and thereafter, initially a Zero FIR was filed by the first respondent and the same has now been transferred to the file of the second respondent, finding that there is a matrimonial discard which has been magnified and manifest in both criminal complaints. It is further seen that in this case the second respondent is yet to receive the file and re-number the case and in view of the same, the petitioner is granted anticipatory bail in Crime No.12 of 2025 pending on the file of the first respondent, (now transferred to the second respondent & FIR number to be assigned), subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event



of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Additional Mahila Court, Coimbatore**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

(c) **The petitioner is being a lady shall report before the respondent police as and when required for interrogation;**

K.RAJASEKAR, J.

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(d) On breach of any of the aforesaid conditions, the



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Crl.O.P.No.22199 o



learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

16.10.2025
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To:

1. The Judicial Magistrate, Additional Mahila Court, Coimbatore.
2. The Inspector of Police,
All Women Police Station,
Periyanaickenpalayam Police Station,
Coimbatore District.
3. The Inspector of Police,
All Women Police Station,
Rasipuram, Namakkal District..
4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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Crl.O.P.No.22199 of 2025



Crl.O.P.No.22199 of 2025

**16.10.2025
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