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Crl.O.P.No.23130 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2025

CORAM

THE HON'BLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.23130 of 2025

1. S. Nirmalkumar Sankar
2. Sadham Hussain. M
3. B. Vallarasau Balasubramaniam
4. S. Soban Babu

... Petitioners/ Accused

Vs.

The State Represented by,
The Inspector of Police,
T5 Vanagaram Police Station,
Chennai - 600077.
(Crime No.162 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 their arrest in connection with Crime No.162 of 2025 on the file of respondent Police.

For Petitioners : Mr. J. Lingeswaren

For Respondent : Mr. S. Vinoth Kumar
Government Advocate (Crl.Side)



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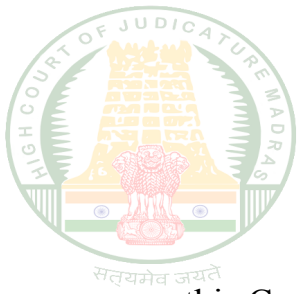
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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under **Sections 296(b), 351(2), 188(1), 329(4) of BNS in Crime No.162 of 2025**, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that one R.Sivaraman lodged a complaint before the respondent police stating that the petitioners herein trespassed into his residence, abused and attacked him using cooking utensils, thereby the defacto complainant sustained injuries. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners herein are relatives of one Asina, the defacto complainant had developed friendship with said Asina and thereafter, taken obscene video of her and forcibly had sexual intercourse with her by threatening that he will upload the obscene video of her in the social media. He further stated there is a counter case as against the defacto complainant lodged by the said Asina and the petitioners are ready to abide by any conditions that may be imposed by



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this Court and sought for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing for granting anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the defacto complainant was discharged from the hospital and subsequently being arrested and presently in prison and there is a case in counter.

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

6. Considering the facts of the case and the injured in this crime was already discharged from the hospital and there is a case in counter, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, **on or before 02.09.2025** before the learned **Judicial Magistrate-I, Poonamallee** on condition that the petitioners



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shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioners fail to surrender before the concerned Magistrate on or before 02.09.2025, 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 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 in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by



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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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

21.08.2025

stn

To

1. The Learned Judicial Magistrate - I,
Poonamallee.
2. The Inspector of Police,
T5 Vanagaram Police Station,
Chennai - 600077.
(Crime No.162 of 2025).
3. The Public Prosecutor,
High Court of Madras.



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Dr. G. JAYACHANDRAN, J.,

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