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Crl.O.P.No.24832 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.24832 of 2025

1.Dhayanithi
2.Thangaroopan
3.Santhi

... Petitioners

Vs.

The State Rep. By,
The Inspector of Police,
W34 AWPS Ennore Police Station,
Crime No.20 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.20 of 2025 on the file of the respondent police.

For petitioners	:	Mr.D.Samnandhakumar
For Intervener	:	Mr.Krishnasamy Chinnasamy
For Respondent	:	Mr.S.Udayakumar Government Advocate (Criminal Side)



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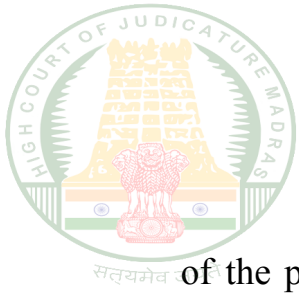
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ORDER

The petitioners herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 85, 86, 296(b) of BNS and Section 4 of DP Act read with Section 4 of TNPHW Act, in Crime No.20 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the first petitioner is the husband of the de facto complainant. The petitioners 2 and 3, who are the in-laws of the de facto complainant, suppressed the impotency of the first petitioner and arranged the marriage with her. After the de facto complainant came to know about the impotency, in order to prevent her from making any allegation or complaint, the petitioners allegedly took nude photographs of the de facto complainant and threatened to release the same in public if she disclosed the said fact. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners have already appeared before the police and submitted their explanations in this regard. He further submitted that prior to the registration



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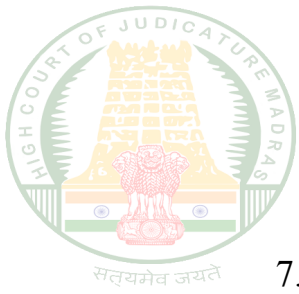
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of the present FIR, an enquiry was conducted, during which the petitioners were able to establish that they had not taken any photographs of the de facto complainant. It is further submitted that the de facto complainant had separated from the matrimonial home in January 2025. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned counsel appearing for the intervener/de facto complainant submitted that the allegations are very serious in nature, and that the first petitioner had taken nude photographs of the de facto complainant and threatened to publish them on social media. Hence, he strongly opposed the grant of anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterating the prosecution case, submitted that the case was registered on 16.05.2025, and that the first petitioner had already appeared for enquiry and cooperated with the investigation.

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



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7. Considering the nature of the allegations and the fact that the de facto complainant had left the matrimonial home as early as January 2025 and that the complaint was lodged after about four months, and since the case is under investigation and the allegations mainly pertain to the suppression of the impotency of the first petitioner, this Court is of the view that custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners subject to 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 ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Thiruvottiyur**, on condition that the petitioners 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 condition that:

[a] if the petitioners 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;



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[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 for a period of three weeks, and thereafter, as and when required for interrogation;

[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 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.

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K.RAJASEKAR, J.

cda

To

- 1.The Judicial Magistrate, Thiruvottiyur.
- 2.The Inspector of Police,
W34 AWPS Ennore Police Station.
- 3.The Public Prosecutor,
High Court of Madras.

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