



WEB COPY



Crl.OP.No.25805 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.25805 of 2025

1. SarathKumar
2. Ashwin

... Petitioners

Vs.

The State Rep by
The Inspector of Police,
N4, Fishing Harbor Police Station
(Cr.No.259 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of
their arrest at the hands of the respondent police pending investigation in
Crime No.259 of 2025 pending on the file of the respondent police.

For Petitioners : Mr.G.EzhilBalaji

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

ORDER

The petitioners, who apprehend arrest for the alleged offence under
Sections 126(2), 296(b), 118(1), 351(3) of BNS in Crime No.259 of 2025,
on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that, due to a domestic



quarrel between the parties, they abused and attacked the defacto complainant with a beer bottle and caused injuries to her. Hence, the present complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and reported that the first petitioner/A1 is having 10 previous cases. Hence, he opposed to grant anticipatory bail to the petitioners.

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

6. Considering the facts and circumstances of the case, and the submissions made by both counsel, and taking note of the fact that the allegations against the petitioners pertain to a matrimonial dispute, and that their custodial interrogation is not required, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. 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



WEB COPY

from the date on which the order copy made, before the learned *XVI Metropolitan Magistrate, George Town, Chennai* on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioners 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 petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;**



WEB COPY



CrI.OP.No.25805 of 2025

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

19.09.2025

Vv

To

1. The XVI Metropolitan Magistrate,
George Town, Chennai.
2. The Inspector of Police,
N4, Fishing Harbor Police Station,
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



WEB COPY



CrI.OP.No.25805 of 2025

K.RAJASEKAR, J.

Vv

CrI.O.P.No.25805 of 2025

19.09.2025