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Crl.OP.No.26004 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.26004 of 2025

1. Sudhakar
2. S.Devi
3. S.Durga

... Petitioners

Vs.

State by
The Inspector of Police,
F3, Arambakkam Police Station,
Gummudipoondi, Tiruvallur.
(Cr.No.145 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 his arrest in respect of Crime No.145 of 2025 on the file of the The Inspector of Police, F3, Arambakkam Police Station, Gummudipoondi, Tiruvallur.

For Petitioners : Mr.C.Raja

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



ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 296(b), 118(1) of BNS r/w Section 4 of Women Harassment Act in Crime No.145 of 2025, on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that they are neighbours of the defacto complainant. Due to a dispute that arose between them, the petitioners allegedly abused and attacked the defacto complainant with a wooden log, causing injuries to her. Hence, the present case has been registered.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have not committed any offence as alleged by the prosecution. He further submitted that a false complaint has been lodged against the petitioners and that this is a case and counter-case. Therefore, he prayed that anticipatory bail may be granted to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution's case and submitted that



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the injured person has been discharged from the hospital. He also reported that there are no previous cases against the petitioners. However, he opposed the grant of 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, the submissions made by both counsel, the nature of the allegations against the petitioners, the fact that there are no previous cases against them, and that 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 from the date on which the order copy made, before the **District Munsif-Cum-Judicial Magistrate Court, Gummidipoondi** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with two sureties each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:



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CrI.OP.No.26004 of 2025

(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 one week and thereafter, as and when required for interrogation;

(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.

22.09.2025

Vv



CrI.OP.No.26004 of 2022

To

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1. The District Munsif-Cum-Judicial Magistrate Court,
Gummidipoondi
2. The Inspector of Police,
F3, Arambakkam Police Station,
Gummudipoondi, Tiruvallur.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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