



WEB COPY



Crl.O.P.No.19 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19 of 2024

R.Thangaravi

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
All Women Police Station,
Poonamalee.
Chennai 56.

Crime No.27 of 2022

... Respondent

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 in connection with Crime No.27 of 2022 on the file of respondent Police.

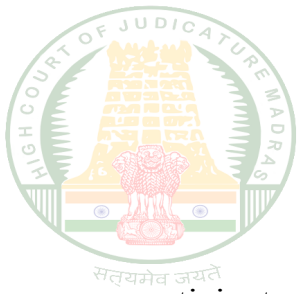
For Petitioner : M/s.S.Madhusudanan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Criminal Side)

For Intervenor : Mr.M.Kannan for
Mr.N.Vijayaraj

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police
for the offences punishable under Section **494, 498 (A), 294 (b) and 506 (I) of**
I.P.C. in Crime No.27 of 2022, on the file of the respondent Police, seek



Crl.O.P.No.19 of 2024

anticipatory bail.

2.The case of the prosecution is that, the petitioner married another woman without getting divorce from the defacto-complainant. When the same was questioned, the petitioner abused the defacto-complainant in filthy language. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that there was a difference of opinion between the petitioner and the defacto-complainant and they got separated and divorce petition has been filed. The defacto-complainant also filed domestic violence case and other proceedings in the Family Court. Suppressing all these facts, complaint has been lodged against the petitioner and others. A2 and A3 have already been granted bail by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that petitioner is arrayed as A1. Investigation shall be completed in a weeks time and chargesheet would be filed. However, opposed for grant of anticipatory bail to the petitioner.



CrI.O.P.No.19 of 2024

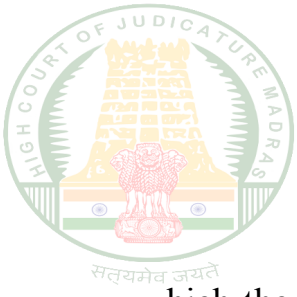
WEB COPY

5.The learned counsel for the defacto-complainant submitted that a case has been registered in the year 2022 and almost three years completed, still no progress in investigation. The defacto-complainant and her nine years old child were left in streets. The petitioner had neither taken care of the defacto-complainant nor the child. But he is living happily with his second wife. Hence, he strongly opposed for grant of anticipatory bail.

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

7.Considering the submissions made by the learned counsel appearing on either sides, the fact that matrimonial dispute is pending between the petitioner and the defacto-complainant and since, custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on



Crl.O.P.No.19 of 2024

which the order copy made ready, before the learned **Judicial Magistrate No.2, Poonamalee** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties** each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, 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 petitioner shall report before the respondent police on every Monday at 10.30 a.m till the chargesheet is filed; thereafter appear before the trial Court on all hearing dates without fail;**

[d] the petitioner shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;



CrI.O.P.No.19 of 2024

WEB COPY

[e] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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]**;

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

11.07.2025

ep

To

1.The Judicial Magistrate No.2
Poonamalee.

5/7



Crl.O.P.No.19 of 2024

WEB COPY

2.The Inspector of Police,
All Women Police Station,
Poonamalee.
Chennai 56.

3. The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

ep

Crl.O.P.No.19 of 2024



WEB COPY



CrI.O.P.No.19 of 2024

11.07.2025