



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 23-10-2025**

CORAM

**THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**CRL OP No. 26729 of 2025**

Mohamed Abdul Kather

Petitioner(s)

Vs

State rep. by, Inspector of Police,  
D-2, Anna Salai Police Station, Anna  
Salai, Chennai - 2. Cr.No. 325/2025.

Respondent(s)

**PRAYER** Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, to grant anticipatory bail to the petitioner in the  
event of his arrest in Cr.No.325 of 2025 pending on the file of respondent  
herein.

For Petitioner: Mr.T.Sundaravadanam

For Intervenor: Mr.K.Janakiraman

For Respondent(s): Mr.S.Udaya Kumar

Government Advocate (Crl. Side)



**ORDER**

The petitioner apprehends arrest for the alleged offence under Sections 351(4) of BNS, r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Cr.No.325 of 2025, on the file of the respondent police seeks anticipatory bail.

2.The allegation against the petitioner is that, being the husband of the defacto complainant, he threatened her due to matrimonial disputes, stating that he had connections with hire lings and engaged them to murder her and their children. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the dispute between the petitioner and the defacto complainant arose from their matrimonial dispute, and the defacto complainant had lodged several false cases against the petitioner to wreck vengeance. He claimed that the petitioner was not involved in any offence as alleged and prayed for anticipatory bail.

4.The learned counsel for the Intervenor opposed the grant of anticipatory bail, stating that the petitioner had a bad character, was involved in a sexual



relationship with another woman, and had been continuously threatening the defacto complainant and her family members.

5. The learned Government Advocate (Crl.side) for the respondent police reported that three cases had been registered against the petitioner from June to August. In the second case, registered in July (Crime No.7 of 2025), the petitioner was arrested and later released on bail. He further submitted that investigation in this case is pending.

6. Careful perusal of the FIR, reveals that petitioner herein involved continuously in criminal intimidation and threats, and considering the petitioner's previous arrest and released on bail in a case lodged by the defacto complainant for domestic violence and harassment, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen (15) days from the date on which the order copy made ready, before the learned **IIInd Metropolitan Magistrate, Egmore**, on condition that the petitioner 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 learned Magistrate concerned, and on further condition that:

(a) If the petitioner 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 petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

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gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

WEB COPY

- 1.State rep. by, Inspector of Police,  
D-2, Anna Salai Police Station, Anna  
Salai, Chennai - 2. Cr.No. 325/2025.
- 2.The IInd Metropolitan Magistrate,  
Egmore.
- 3.The Public Prosecutor,  
High Court of Madras.



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**K.RAJASEKAR J.**  
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