



Crl.OP.No.28074 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.28074 of 2025

1.Sabiya
2.Nabisa
3.Rahim @ Rahim Basha
4.Anwardeen Ismail ... Petitioners

Vs.

State Rep by
The Inspector of Police,
T4 Madhuravoyal Police Station
Chennai District.
(Crime No.641 of 2025) ... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.641 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.M.J.Srinivas
For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)



ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections **296(b), 115(2), & 351(2) of BNS Act, 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.641 of 2025**, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and accused had a landlord and tenant relationship and in such relationship there was a money dispute among the defacto complainant and the accused, due to which the defacto complainant and accused had wordy quarrel and the accused assaulted the defacto complainant and her daughter. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case and the petitioners are ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for their release. Hence, he prays for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.Side) appearing for the respondent police reported that the petitioners are having no previous case against them. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the petitioners are having no bad antecedents, injured discharged, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate Poonamallee** on condition that the petitioners shall execute a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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Crl.OP.No.28074 of 2025

[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 daily at 10.30 a.m for a period of two 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.

15.10.2025

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Crl.OP.No.28074 of 2025

To
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1.The II Judicial Magistrate Poonamallee.

2.The Inspector of Police,
T4 Madhuravoyal Police Station
Chennai District.
(Crime No.641 of 2025)

3.The Public Prosecutor,
High Court of Madras.



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CrI.OP.No.28074 of 2025

K.RAJASEKAR, J.

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15.10.2025