



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 28008 of 2025

1. Anthonysami

Son of Simiyon and 4 Others

2. Anthoniyammal

Wife of Simiyon, Both are residing at,
Yalkattukkay, Maiyanur Village,
Sankarapuram taluk, Kallakurichi
District.

4. Selinmarry

Daughter of Semon, No.3/9, Annai
Therasa Street, Viriyur Village,
Sankarapuram Taluk, Kallakurichi
District.

6. Vimalamarry

Wife of Arokiyaraj, Viriyur Village,
Sankarapuram Taluk, Kallakurichi
District.

8. Rachaelmarry

Daughter of Josaph, Kattukottai,
Noorolai Village, Kallakurichi District.

Petitioner(s)

Vs



1. State Rep. by

Inspector of Police, All Women Police

Station, Thirukoilur, Kallakurichi

District. Crime No.96 of 2025

Respondent(s)

PRAYER

To enlarge the petitioners on bail in the event of arrest in Crime No. 96 of 2025 on the file of the respondent and thus render justice.

For Petitioner(s): P.Rajavel

For Respondent(s): Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence under Section 85, 296(b) and 351(2) of BNS 2023 in Crime No.96 of 2025, on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that the 1st petitioner is the husband, of the defacto complainant and the 2nd and 3rd petitioners are relatives of the husband. The marriage was taken place 12 years ago and there was continuous harassment by the 1st accused and his family members. Further they were ill treating her and since in order to prevent her from becoming



pregnant, they also administer some kind of medicines thereby they have damaged the uterus of the victim. Thereafter by citing that the defacto complainant was not able conceive a baby they starting to harassing her and also not given food continuously for 5 days. Hence, she come forward with the complaint.

3. The learned counsel for the petitioners submitted that the entire allegation levelled in the complaint is false and due to ill advise given by relatives of the defacto complainant this complaint has been lodged. He further submitted that the petitioners are ready to abide with any conditions that may be imposed by this Court, and therefore, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the contention and submitted that the defacto complainant suffered harassment and cruelty and opposed to grant anticipatory bail to the petitioners.



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5. I have also gone through the FIR and though it is stated several harassment and also alleged that the defacto complainant was not given food for nearly 5 days and the FIR was immediately lodged, she was not subjected to any medical examination. I am of the view that the petitioners are entitled for anticipatory bail and custodial interrogation in this case is not required, I am 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 (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate-II, Kallakurichi and Kallakurichi District**, on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(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;

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(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 1st 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) The petitioners 2 to 5 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;

(e) 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 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];**

(f) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.



14-10-2025

Mpa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Judicial Magistrate-II, Kallakurichi and Kallakurichi District.

2. State Rep. by

Inspector of Police, All Women Police

Station, Thirukoilur, Kallakurichi

District. Crime No.96 of 2025

3. The Public Prosecutor

High Court of Madras.



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K.RAJASEKAR J.
mpa

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