



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 28453 of 2025

1. J.Syed Shameer
2. M.Reheela Banu
3. T.Rajalingam

Petitioner(s)

Vs

State represented by

The Inspector of Police, Arakkonam All Women Respondent(s)
Police Station, Arakkonam. (Cr. No. 48 of 2025,)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the Petitioners on anticipatory bail in the event of their arrest in connection with Crime No. 48 of 2025 on the file of the Inspector of Police, Arakkonam All Women Police Station, Arakkonam, Ranipet District for the offences under Sections 75(1)(ii), 75(2), 85, and 351(2) of the BNS and Section 4 of the Dowry Prohibition Act 1961, pending investigation and thus render justice.

For Petitioner(s): Mr.S.Lal Devasagayam

For Respondent(s): Mr.S.Udayakumar

Government Advocate Crl.side



ORDER

The petitioners, who apprehend arrest by the respondent police for the offences punishable under Sections 75(1)(ii), 75(2), 85, & 351(2) of BNS, 2023 and Section 4 of the Dowry Prohibition Act, 1961, in Crime No.48 of 2025 seek anticipatory bail.

2.The allegation against the petitioners is that 1st petitioner herein is the husband, 2nd petitioner is the mother-in-law and the 3rd petitioner is the living partner of the 2nd petitioner and it is alleged that the 1st petitioner was engaged in various sexual assault on the victim lady and further the 3rd petitioner is also involved in physical torture and humiliated her and unable to bear the same, she questioned the husband for which her husband attempted to strangle her. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the allegations are only bald and though the marriage was taken place on 6th February 2025, nowhere it is stated that when the 1st petitioner and the 3rd petitioner had



committed sexual assault against the victim and there is no further details in this regard. He further submitted that already the petitioners have initiated matrimonial proceedings against each other more particularly the defacto complainant has also initiated maintenance case in the month of April 2025 and thereafter suits were also filed in the month of June and July 2025, thereafter the present complaint was lodged on 11.07.2025, hence he prayed for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) for the respondent police reported that the issue arises out of dispute between the husband and wife. Accordingly, the police have registered a case and conducted an enquiry and the same was closed. He further submitted that the offence are grave in nature and if the petitioners are released on anticipatory bail, they will create problems in the family. Hence, prays to dismiss the petition.

5.Considering the fact that prior to lodging the complaint there are several legal proceedings between the parties, more particularly, in the maintenance



case, suits and criminal proceedings etc., I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate, Arakkonam***, on condition that the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Ten Thousand Only), each 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 and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners are directed to co-operate for the investigation;

(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; the 2nd and 3rd 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;

WEB COPY

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action 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 Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under

Section 269 of B.N.S.

31-10-2025

gbi



WEB COPY

CRL OP No. 28453 of 2025





CRL OP No. 28453 of 2025



WEB COPY

- 1.State represented by
The Inspector of Police, Arakkonam.
Arakkonam All Women Police Station.
(Cr. No. 48 of 2025,)
- 2.The Judicial Magistrate, Arakkonam.
- 3.The Public Prosecutor,
High Court of Madras.



WEB COPY

CRL OP No. 28453 of 2025



K.RAJASEKAR J.
gbi

**CRL OP No. 28453 of
2025**

31-10-2025