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Crl.O.P.No.2968



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.29682 of 2025

1. V.M.Karthick
2. V.Kala

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
W-2, All Women Police Station,
Triplicane, Chennai.
(Crime No.3 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.3 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.Ragavendran

For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl. Side)

ORDER



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The petitioners, who apprehends arrest for the alleged offence punishable under Sections 85, 319 of BNS in Crime No.3 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The allegation of these petitioners is that, the 1st petitioner is the husband of the defacto complainant and their marriage was taken place in the year 2008 itself. However, she was not able to conceive a child and, the petitioners is not having sufficient Sperm Count for the purpose of conceive, petitioners started to shift the blame on the victim and joining hands with his family members started to harass and criminally threatened. The petitioners have also retain the 5 sovereigns of gold and 4 kgs of silver articles of defacto complainant. Hence this case.

3. The learned counsel appearing for petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution, and they have been falsely implicated in this case. He further submitted that during the enquiry, the articles, were returned to the defacto complainant. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the articles were returned and the allegation recovered serious in nature, hence, he vehemently opposed to grant anticipatory bail to the



petitioners.

5. Considering the fact that on perusal of FIR, it reveals that in the month of July 2024 itself the defacto complainant was sent out from the house and the complaint was lodged in the month of April 2025 and the petitioners were also appeared before the respondent police, the custodial interrogation is not necessary, and 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 (15) days from the date of receipt of a copy of this order before the *learned Additional Mahila Court, Egmore, Chennai*, on condition that the petitioners 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 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 shall report before the



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respondent police daily at 10.30 a.m., for the period of three weeks and thereafter as and when requires for interrogation;

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

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

(e) 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;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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Note :

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1. Registry is directed to forthwith upload this order in the Official Website of this Court.

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2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Additional Mahila Court, Egmore, Chennai.
2. The Inspector of Police,
W-2, All Women Police Station,
Triplicane, Chennai.
3. The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.



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