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CrI.O.P.No.2950



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **30.10.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

CrI.O.P.No.29500 of 2025

A.Ajmuldeen

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
All Women Police Station,
Thiruvottiyur, Chennai.
(Crime No.21 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of their arrest in Crime No.21 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Mohamed Riyaz

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

**ORDER**

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The petitioner, who apprehends arrest for the alleged offence punishable under Sections 294(b), 498(A), 506(i) of IPC in Crime No.21 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The allegation of the petitioner is that the petitioner is the husband of the defacto complainant and on various dates attacked her and caused severe injuries and in FIR, she has narrated the incidents taken place in the year 2021 – 2023 including the dates on which she suffers injuries. Further she has also stated that her husband is behaving violently and he was undergoing some mental illness and subsequently after his health condition improves, he further arrested and threatening her with dire consequences. Hence this case.

3. The learned counsel appearing for petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He further submitted that as early as in the year 2024 the defacto complainant herself filed a suit in O.S.No.308 of 2025 on the file of III Additional Family Court, Chennai for dissolution of marriage, further after two months she once again filed the suit in O.S.No.171 of 2024 on the file of the District Munsif Court, Srivaigundam for Restitution of Conjugal Right, in both the cases the petitioner herein is contesting and he has also filed



written statement in the suit, thereafter she has come forward with the complaint lodging several instances of mental harassment as well as the physical harassment. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that investigation is pending, the complaint was lodged on 19.08.2025. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that one year prior to the lodging of complaint itself the defacto complainant have chosen to approach the Family Court to redress her grievance seek Protection Order under the Domestic Violence Act, in this stage the custodial interrogation is not necessary, and this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 of receipt of a copy of this order before the *learned Judicial Magistrate, Thiruvotriyur*, 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 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:



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Crl.O.P.No.2950



(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 petitioner shall report before the respondent police daily at 10.30 a.m., for the period of two weeks and thereafter as and when requires for interrogation;

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

(d) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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;



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Crl.O.P.No.2950



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

30.10.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
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 Judicial Magistrate, Thiruvotriyur.
- 2.The Inspector of Police,
All Women Police Station,
Thiruvottiyur, Chennai.
- 3.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.2950



K. RAJASEKAR, J.

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30.10.2025