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Crl.OP.No. 29753 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

CRL OP NO. 29753 of 2025

Koushik Kannan

...Petitioner/A1

Vs

The State rep. by

The Inspector of Police

W-28, All Women Police Station

Ambattur, Chennai

Crime No. 42 of 2025.

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest pending investigation in Cr.No.42 of 2025 on the file of the respondent police.

For Petitioner : Mr.Palani Elumalai

For Intervener : Mr.K.Chandru

For Respondent : Mr.S.Udayakumar

Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 323, 406. 294(b) and 506(i) of IPC read with Section 303(2) of BNS Act, 2023 in Crime No.



281 of 2025, on the file of the respondent Police, seeks anticipatory bail.

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2. The allegation against the petitioner is that the marriage was solemnized between the petitioner and the de-facto complainant on 12.06.2024. At the time of marriage, 95 sovereigns of gold jewels, silver articles and a luxury car were presented by the parents of the de-facto complainant. Thereafter, the petitioner avoided the physical relationship and even avoided conversation with the de-facto complainant. Then, she came to know that the petitioner is having illegal affair with a girl even prior to marriage. Later, she left from the matrimonial home due to the physical and mental harassment and assaulted the de-facto complainant by the petitioner. Therefore, she lodged a complaint before the respondent police.

3. The learned counsel for the petitioner submits that both couple were living together only ten days, they got separated from matrimonial life. He further submits that the petitioner has initiated matrimonial proceedings against the de-facto complainant in HMOP.No. 114 of 2025 on the file of Family Court, Chennai, is pending for further adjudication. He also submits that the petitioner is ready to abide by any conditions that may be imposed



by this Court and ready to furnish sufficient solvent sureties for his release.

Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that at the time of marriage, huge properties were given to the petitioner by the parents of the de-facto complainant. After collecting huge amount, the petitioner had assaulted the de-facto complainant due to bad illicit affair with another lady. However, he opposed for grant of anticipatory bail to the petitioner.

5. On perusal of records, it reveals that the occurrence had taken place prior to 2025. The petitioner has also initiated matrimonial proceedings against the de-facto complainant in H.M.O.P.No. 114 of 2025 before the Family Court, Chennai, and the same is pending for further adjudication. Therefore, I am of the view that the custodial interrogation is not required in this case.



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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 days from the date on which the order copy made ready, before the learned Judicial **Magistrate, Ambattur**, 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 learned Magistrate concerned and on further condition that:

(a) If the petitioner 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;

[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;



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[c] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of three weeks.

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

03.11.2025

MSM
To

1.The Judicial Magistrate, Ambathur.

2.The Inspector of Police
W-28, All Women Police Station
Ambattur, Chennai
Crime No. 42 of 2025.

3. The Public Prosecutor, High Court of Madras.

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K.RAJASEKAR, J.

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