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Crl.OP.No. 30120 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 30120 of 2025

1.S.Marimuthu
2.M.Chithra
3.Divyabharathi

...Petitioners/A1 to A3

Vs

The State rep. by
The Inspector of Police
Chithode Police Station,
Erode District.
(Crime No. 508 of 2025)

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event
of their arrest pending investigation in Cr.No. 508 of 2025 on the file of the
respondent police.

For Petitioners : Mr.C.Kulanthaivel
For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent
police for the offences punishable under Sections 296(b), 118(1) and 351 (2)
of BNS, 2023 in Crime No. 508 of 2025, on the file of the respondent Police,
seek anticipatory bail.



2.The allegation against the petitioner is that the de-facto complainant along with his friend came to the house of the petitioners on 20.10.2025 at about 8.00 p.m., to see his son, at that time, the 1st petitioner scolded the de-facto complainant and also attacked with deadly weapon and the 2nd and 3rd petitioners assaulted with wooden stick and other deadly weapons. The de-facto complainant had sustained injuries. Hence respondent police registered a case against the petitioners.

3. The learned counsel for the petitioners submits that the petitioners had attempted to assault the de-facto complainant for their self-defence. He further submits that the petitioners are innocent persons and they have been falsely implicated in this case. He also submits that the petitioners are 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 petitioners.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that there was wordy quarrel between the petitioners and the de-facto complainant. He



further submits that the injured has been discharged from the hospital. He

further submits that investigation has been pending against the petitioners.

However, he opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsels and perused the materials available on record.

6. Considering the fact that there was matrimonial dispute between the petitioners herein and the de-facto complainant; that the injured has been discharged from the hospital; that FCOP.No.386 of 2025 is pending between the 3rd petitioner and the de-facto complainant before the Family Court, Erode; that investigation is pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.3, Erode**, 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 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;

[c] the petitioners shall report before the respondent Police daily at 10.30 a.m for a period of one week and thereafter, as and when required for interrogation;

[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]**;



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

05.11.2025

MSM
To

1.The Judicial Magistrate No.3, Erode.

2.The Inspector of Police
Chithode Police Station,
Erode District.

(Crime No. 508 of 2025)

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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