



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.30477 of 2025

1.Chennan
2.Mayavan
3.Ambika

... Petitioners

Versus

The State rep by its,
The Inspector of Police,
Deevattipatti Police Station,
Salem District.

(Crime No.478 of 2025)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on bail in the event of his arrest in Crime No.478 of 2025 on the file of the respondent police.

For Petitioners : Mr.C.Deepak Kumar

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

ORDER

The petitioners, who apprehend arrest by the respondent police for the offence punishable under Sections 126(2), 296(b), 115(2) of BNS r/w Section 4 of TNPHW Act @ Section 126(2), 296(b), 115(2), 118(1), 85, 87 and 133 of BNS r/w Section 4 of TNPHW Act, in Crime No.478 of 2025



seeks anticipatory bail.

2.The allegation against the petitioners is that the first petitioner is the husband, and the petitioners 2 and 3 are the in-laws of the defacto complainant. It is alleged that the defacto complainant had separated from her matrimonial home and was working in a college, and on the date of the alleged occurrence, the petitioners waylaid and restrained her, severely attacked her and thereafter abducted her in a car to the first petitioner's native place, where they confined her in a house and assaulted her repeatedly. Subsequently, the police arrived at the spot and rescued the victim and admitted in the Dharmapuri Government Hospital. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that there were certain matrimonial dispute between the defacto complainant and the first petitioner, and when the same was questioned, a false complaint has been lodged against the petitioners. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the



investigation is still pending and the FIR was registered recently. However, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. On perusal of the FIR, it is seen that the occurrence took place in the month of April 2025, and it is revealed that the victim was taken from her place of work to the house of the first petitioner, where she was brutally attacked and confined. Thereafter, the police were informed about the confinement, rescued her and admitted her to the hospital. Considering the overt act attributed to the first petitioner, this Court is not inclined to grant anticipatory bail to the first petitioner. Accordingly, this Criminal Original Petition, in respect of the first petitioner, stands dismissed.

7. However, the petitioners 2 and 3 are concerned, considering their age and the over tact of the petitioners, this Court is inclined to grant anticipatory bail to the second and third petitioners on certain conditions.

8. Accordingly, the 2nd and 3rd 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, Omalur*, on condition that the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty 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 2nd and 3rd petitioners shall report before the respondent police, everyday at 10.30 a.m., for a period of three weeks.

(c) the 2nd and 3rd petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the 2nd and 3rd 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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10.11.2025

drl

To

1. The Judicial Magistrate,
Omalur.
2. The Inspector of Police,
Deevattipatti Police Station,
Salem District.
3. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

drl

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