



WEB COPY

Crl.O.P.No.3119



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31191 of 2025

1.Nashan@ Nishaan
2.Naseemanishi
3.Umar

... Petitioners

-VS-

State Rep by,
The Inspector of Police
T-5, Vanagaram Police Station,
Koyambedu.
(Crime No.250 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in the event of their arrest in Crime No.250 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.A.Ravindranath Jeyapal

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

**ORDER**

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS,2023 in Crime No. 250 of 2025, seeks anticipatory bail.

2. The allegation against the petitioners is that the first petitioner is the husband and the others are in-laws of the defacto complainant. She had demanded A1 to take her to the hospital for her illness, instead of taking her to hospital, A1 taken her to mess run by the family, confined, and attacked her. Some how, the defacto complainant managed to sneak away from the room and contacted the control room of the police. She was rescued by the police and admitted to the hospital.

3.The learned counsel for the petitioners submitted that this is a case of matrimonial quarrel that has been exaggerated, and there are ready to abide by any conditions as may be imposed by this Court. Hence, he prays for grant bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reported that the petitioners not only confined her illegally but also beaten her and caused severe injuries to her. Hence, opposed for grant of bail to the petitioners.



5. Considering the nature of the allegation, I am not inclined to grant anticipatory bail to the 1st petitioner since he is having specific overt act. However, I am inclined to grant anticipatory bail to other petitioners (2nd and 3rd petitioners) with certain conditions.

6. Accordingly, the petitioners 2 and 3 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 on which the order copy made ready, before the **learned Judicial Magistrate-II, Poonamallee**, on condition that **the petitioner shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;



(c) The petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions 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 v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

17.11.2025

mpa

To

1.The Judicial Magistrate-II, Poonamallee.

2.The Inspector of Police
T-5, Vanagaram Police Station,
Koyambedu.

3.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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