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CRL OP No. 31371 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 31371 of 2025

1. P Murugesan

S/o S Pal Pandian

No. 2/27, Ragavendra Colony,

Virugambakkam, Chennai - 600 092

2. Ganesan K

S/o Kathavarayan

No. 4, 14th Street, CDN Nagar,

Nerkundram, Tiruvallur -600 107

3. Thameen Ansari

S/o Mohammed Noorullah

No. 6, School Street, Pallavan Nagar,

Nerkundram, Tiruvallur -600 107

4. S Jayakumar

S/o Subramaniyan

No. 3, Bowden Street, Cooks Road,

Perambur, Chennai - 600012

Petitioner(s)

Vs



State Rep by the Inspector Police,
R-5 Virugambakkam Police Station
(Cr.No.404 of 2025)

Respondent(s)

CRL OP No. 31371 of 2025

PRAYER

To enlarge the Petitioners on bail in the event of his arrest in Crime No.404 of 2025, on the file of the respondent police.

For Petitioner(s): Mr. Bala Ramesh for
Mr. Kanagaraj Kumar

For Respondent(s): Mr. S.Udayakumar,
Govt. Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest in the hands of respondent police for the alleged offence under Sections 296(b), 115(2), 191(2), 329(4), 324(4), 74, 357(3) of BNS and 4 of Woman Harassment Act, in Crime No.404 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of prosecution is that the 1st petitioner met with an accident and bedridden and A2 to A4 are friends of A1 and they alleged to have caused abusement to the defacto complainant, who is brother's wife of 1st petitioner due to a dispute with regard to purchase of property through a sale deed dated



09.04.2007 between the 1st petitioner and the defacto complainant's family, as a result of which, he along with other petitioners entered into house of defacto complainant and abused her. Hence, the complaint was registered against the petitioner.

3. The learned counsel appearing for petitioners submitted that the 1st petitioner met with an accident and bedridden and A2 to A4 are friends of A1. He would submit that they have been falsely implicated in this case as if they have caused abusement to the defacto complainant, who is brother's wife of 1st petitioner. In fact, there is a dispute with regard to purchase of property through a sale deed dated 09.04.2007 between the 1st petitioner and the defacto complainant's family. He would submit that to wreck vengeance, a false complaint was given as if he along with other petitioners entered into house of defacto complainant and abused her. But, they are innocent persons, they are no way connected with the offence and they have not committed any of offence as alleged by the respondent police. He would also submit that they would abide by any condition that may be imposed by this court. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that due to a dispute with regard to purchase of property through a sale deed dated 09.04.2007 between the 1st petitioner and the



defacto complainant's family, he along with other petitioners entered into house of defacto complainant and abused her. He would submit that they are arrayed as A1 to A4. He would also submit that if they are released on anticipatory bail, they would hamper the investigation and tamper the witnesses and the investigation is almost completed. However, he would vehemently opposed to grant anticipatory bail to the petitioners.

5. On perusal of records, the fact reveals that 1st petitioner met with an accident and bedridden and A2 to A4 are friends of A1, however, due to a dispute with regard to purchase of property through a sale deed dated 09.04.2007 between the 1st petitioner and the defacto complainant's family, they said to have caused abusement to the defacto complainant, who is brother's wife of 1st petitioner, as a result of which, he along with other petitioners entered into house of defacto complainant and abused her. Furthermore, the learned counsel for petitioners have also enclosed the disability certificate issued by the Government of India, wherein it was certified that the 1st petitioner is a 90% disabled person and he was unable to move, which was also proved. Considering that and also considering the facts and circumstances and the fact that the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



6. 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 **XXIII Metropolitan Magistrate, Saidapet, Chennai**, and they shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each, **one surety must be a blood surety**, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 1st petitioner shall report before the respondent police as and when required and the petitioners 2 to 4 shall report before the respondent police on every Saturday at 10.30 a.m. for the period of six weeks.

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

(d) the petitioners shall not abscond either during investigation or trial;



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(e) on breach of any of the aforesaid conditions, the 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 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 229-A IPC.

13-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1.The XXIII Metropolitan Magistrate, Saidapet, Chennai

2.The Inspector of Police, R-5 Virugambakkam Police Station.

3.The Public Prosecutor, High Court, Madras



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T.V.THAMILSELVI J.

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