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Crl.OP.No.32987 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.32987 of 2025

Sathish Kumar

... Petitioner

Vs.

State rep by

The Inspector of Police,

W29, All Women Police Station,

Avadi-600054.

(Crime No.49 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 arrest in Crime No.49 of 2025 on the file of the respondent police.

For Petitioner : Mr.V.Sriram

For Respondent : Ms.J.R.Archana

Government Advocate (Crl. Side)

For Intervenor : Mr.S.Arivazhagan

ORDER

The petitioner apprehends arrest at the hands of the respondent police for the offence under Section **85 of BNS Act, 2023** in **Crime No.49 of 2025**, on the file of the respondent Police, seeks anticipatory bail.



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2. The allegation against the petitioner is that he is the husband of the defacto complainant, and their marriage was taken place on 10.09.2021. Subsequently, he started quarreling with her, demanding money, and subjected her to harassment. It is further alleged that the petitioner has been living with another woman called Abi at his parents' home and continuously harassing and assaulting the defacto complainant. On 11.10.2025, she has also come forward to lodged a complaint, which was enquired in to by the police. The police advised the petitioner to live amicably with his wife, and accordingly, he resumed cohabitation with her. However, on the very next day, the petitioner allegedly attacked the complainant with a helmet, and caused severe injuries, and also threatened her with dire consequences. Unable to bear the humiliation, she consumed poison but was rescued and admitted to the hospital due to timely intervention by her family members. Hence, a complaint has been lodged.

3. The learned counsel for the petitioner submitted that the petitioner has been regularly appearing before the respondent police and has duly participated in the enquiry conducted by them. It is further submitted that the petitioner has filed a separate petition for divorce against the respondent on



10.11.2025, and that the respondent has also initiated a maintenance proceeding. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned counsel for the intervenor vehemently opposed for granting anticipatory bail to the petitioner on the ground that the petitioner regularly used to harassed attacked the defacto complainant and not to bear the humiliation, she consumed poison and her family members intervened and rescued her.

5. The learned Government Advocate (Crl.Side) appearing for the respondent Police reiterated the prosecution's case and, upon instructions, submitted that the victim was subjected to various forms of harassment, all of which have been clearly narrated in her complaint. It was further stated that the investigation in this case is still in progress. Hence, he opposed to grant anticipatory bail to the petitioner.

6. I have also gone through the First Information Report and other connected materials, including the medical records. It revealed that the victim has been subjected to various forms of harassment and that the petitioner had

K.RAJASEKAR, J.

ssi



Crl.OP.No.32987 of 2025

been regularly assaulting her. It is further revealed that the victim had also attempted to commit suicide, and thereafter the police registered the FIR. The investigation in this case is still pending.

7. Considering the facts and circumstances of the case and taking note of the submissions made on both sides and also considering the gravity of offence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

02.12.2025

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To:

1.The Inspector of Police,
W29, All Women Police Station,
Avadi-600054.

2.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.32987 of 2025