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Crl.OP.No.34197 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.34197 of 2025

Noushadkhar

... Petitioner

Vs.

State Rep by
The Inspector of Police,
H-8, Thiruvottiyur Police Station,
Tiruvallur District.
(Cr.No.1151 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to grant anticipatory bail to the petitioner in the event of arrest in connection with Cr.No.1151 of 2025 pending investigation on the file of the respondent police, H-8, Thiruvottiyur Police Station, Tiruvallur District.

For Petitioner : Mr.Krishen

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 115(2), 118(1), 296(b) and 351(3) of BNS in Cr.No.1151 of 2025, on the file of the respondent police. seeks anticipatory bail.



2. The case of the prosecution is that, due to an alleged illicit affair between the defacto complainant's husband and one Hema Priya (A2), the defacto complainant went to the house of A2 and questioned her husband about the same. As a result, the petitioner along with others abused and assaulted the defacto complainant with a wooden log and caused injuries to her. It is further alleged that A3 pulled the defacto complainant's hair, which led to the registration of the FIR. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution. He further submitted that the petitioner is ready and willing to cooperate with the investigation and hence prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and reported that the petitioner has no previous cases and that the injured has been discharged from the hospital. However, he opposed the grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of the allegations and the fact that the injured has been discharged from the hospital and that there are no previous



cases reported against the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate, Tiruvottiyur** on condition that the petitioner 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 learned Magistrate concerned, and on further condition that:

(a) If the petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;**



(d) The petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) The petitioner shall not abscond either during investigation or trial:

(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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]***;

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

15.12.2025

Vv

To

1. The Judicial Magistrate, Tiruvottiyur
2. The Inspector of Police,
H-8, Thiruvottiyur Police Station,
Tiruvallur District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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