



Crl.O.P.No.34319 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.34319 of 2025

1.Balaji
2.Baskaran
3.Renugadevi

... Petitioners

Vs.

State By,
Inspector of Police,
AWPS-Vadalur, Tambaram District.
Crime No.39 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.39 of 2025 on the file of the respondent police.

For Petitioner : Mr.R.Thamaraiselvan
For Respondent : M/s.J.R.Archana
Government Advocate (Crl. Side)



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ORDER

The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 85, 79 and 351(2) of BNS, in Crime No.39 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that the 1st petitioner induced the defacto complainant who is a divorcee, to marry him, by falsely claiming that he was also a divorcee. Post-marriage, he harassed the defacto complainant by demanding a new house, and pressured her to undergo miscarriage, after she became pregnant. When she refused he continued to harass her and also threatened her with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the defacto complainant was aware of the petitioner's ongoing first marriage when she married him. He claims there is no harassment as alleged in the FIR and reported that the defacto complainant attempted to suicide. He further submitted that the other petitioners are the parents of the first petitioner. Therefore, the learned counsel seeks anticipatory bail for the petitioners.



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4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the FIR was registered only very recently and the investigation in this case is still pending. He further submitted that the victim was also delivered a child. However, she opposed for grant of anticipatory bail to the petitioners.

5. Considering the nature of allegations and other circumstances of the case and since custodial interrogation of the petitioners are not necessary for the case of this nature, 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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Tambaram** on condition that each of the petitioners shall execute a separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioners fails to surrender before the concerned Magistrate within a period of fifteen days from



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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 the identity proofs to ensure their identity;

[c] the petitioners 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] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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To

1.Judicial Magistrate No.I, Tambaram.

2.Inspector of Police,
AWPS-Vadalur, Tambaram District.

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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