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Crl.OP.No.34917 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.34917 of 2025

Balaji

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Mappedu Police Station,
Tiruvallur District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in the event of
their arrest in Crime No.295 of 2025 on the file of the respondent police.

For Petitioner : Mr.P.Belman

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

ORDER

The petitioner, who apprehends arrest for the alleged offence under
Sections 296(b), 115(2), 118(1), 351(3) of BNS, 2023 in Cr.No.295 of 2025
on the file of the respondent police, seeks anticipatory bail.



2. The prosecution case is that when there was a quarrel between the petitioner and his wife, the petitioner had attempted to stab his wife and at that time, the defacto complainant, who is the sister of petitioner's wife came there and tried to prevent the quarrel. Hence, the petitioner has attacked the defacto complainant with a knife in her stomach and caused severe injuries, which led to the registration of an FIR. Hence, the present case.

3. The learned counsel for the petitioner submitted that due to matrimonial dispute, the occurrence had taken place. Even the defacto complainant is now not interested to proceed with the case and hence prays to grant anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is a habitual offender and already he is having three previous cases of similar in nature. He also submitted that injured has been discharged from the hospital. Hence, he vehemently opposed the grant of anticipatory bail.

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

6. Considering the fact that the injured has discharged from the hospital. It is now reported that the defacto complainant is not interested to pursue with the case. Since this is matrimonial dispute between one of the



injured and 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 his appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate-II, Tiruvallur** 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) 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]***;

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

19.12.2025

Vv

To

1. The Judicial Magistrate-II, Tiruvallur
2. The Inspector of Police,
Mappedu 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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