



WEB COPY



Criminal Original Petition No.35014 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.12.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

Criminal Original Petition No.35014 of 2025

Magesh

S/o.Esakimuthu

... Petitioner

Vs.

State represented by
The Inspector of Police,
Maraimalai Nagar Police Station,
Tambaram.

Crime No.131 of 2024

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023, praying to enlarge the petitioner on bail in the event of his arrest by the respondent police concerned in Crime No.131 of 2024 on the file of respondent on such terms and conditions.

For Petitioner : Mr.R.Parthiban

For Respondent : Mr.S.Udaya Kumar

Government Advocate [Crl.side]

ORDER

The petitioner, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 448, 294(b), 323, 342, 379, 506(ii) of IPC read with Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No.131 of 2024, seeks



anticipatory bail.

2. The case of the prosecution is that on 04.03.2024, the petitioner illegally entered into the de facto complainant's home, abused her by using filthy language and assaulted her with hand and taken away a sum of Rs.30,000/- along with Vivo Mobile phone, Aadhar Card, Pan Card, Ration Card and Voter ID. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in the case. The petitioner has not committed any such offence as alleged by the prosecution. He further submits that the petitioner is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution of the case and submitted that the investigation is pending and the offences are grave in nature and vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Considering the nature of offences alleged against the petitioner, the dispute between the parties and considering the fact that



there is no previous case pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Additional Mahila Court, Chengalpattu District**, on condition that the petitioner shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police for a period of 30 days;

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the



Criminal Original Petition No.35014 of 2025

petitioner in accordance with law as if the conditions have been imposed and the petitioner 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)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S. 2023.

30.12.2025

mk/mp

Neutral Citation: Yes/No

Note:

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.**

To

1. The Additional Mahila Court
Chengalpattu District.
2. The Inspector of Police,
Maraimalai Nagar Police Station,
Tambaram.
Crime No.131 of 2024
3. The Public Prosecutor,

4/5



High Court, Madras.



Criminal Original Petition No.35014 of 2025

P.DHANABAL, J

mk/mp

Criminal Original Petition No.35014 of 2025

30.12.2025