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CRL OP No. 35575 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35575 of 2025

1.Saba @ Rajasekar
2.Sathish

Petitioner(s)

Vs

The State Rep By,
The Inspector of Police
Kanai, Villupuram District.
Crime No.213 of 2025.

Respondent(s)

PRAYER

To enlarge the petitioners herein on bail in the event of their arrest at the hands of the respondent police in Crime No.213 of 2025.

For Petitioner(s): Mr.Tamil Selvan

For Respondent(s): Mr.S.Udaya Kumar
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 109(1), 127(2), 326(1), 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023 read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act



(TNPBW), 1998 in connection with the case in Crime No.213 of 2025, seek anticipatory bail.

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2. The case of the prosecution is that on 09.11.2025 at about 08.45 p.m., the petitioners along with the two other accused persons, attacked the defacto complainant with an iron rod and a wooden log. As a result, the defactor complainant sustained injuries and was admitted to the hospital. However, the defacto complainant was discharged.

3. Learned counsel for the petitioners would contend that the petitioners are innocent; that there exists a family dispute between the petitioners and the defacto complainant; that they have been falsely implicated in this case and that the custodial interrogation is not required in this case. Hence, prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing on behalf of the respondent would submit that there exists a family dispute between the petitioners and the defacto complainant; that the petitioners, along with other, attacked the defacto complainant with deadly weapons and caused injuries to the complainant; that no previous cases are pending against the petitioners; and that the investigation is still pending. Hence, opposed to grant anticipatory bail



to the petitioner.

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5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Considering the nature of allegations, the relationship and the matrimonial dispute between the parties; no previous cases are pending against the petitioners and since the custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. 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, Additional Mahila Court, Villupuram** on condition that the petitioners shall execute a 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 respondent Police or the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:



[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police every Saturday at 10.30 a.m., for a period of four weeks;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the 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)AIR SCW 5560].

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

30-12-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

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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 Judicial Magistrate, Additional Mahila Court, Villupuram.
- 2.The Inspector of Police Kanai, Villupuram District.
- 3.The Public Prosecutor, Madras High Court, Chennai.



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P.DHANABAL J.

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