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CRL OP No.35462 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL OP No.35462 of 2025

Subashchandrabose
S/o.Palani,
Nambipatti Vill, H.Doddamapatti Post,
Pappireddipatti Taluk, Dharmapuri District.

Petitioner(s)

Vs

State of Tamil Nadu represented by
The Sub-Inspector of Police,
Gobinathampatti Police Station
(Crime No.131 of 2025)

Respondent(s)

Criminal Original Petition filed under Section 482 of B.N.S.S. to grant
anticipatory bail to the petitioner in the event of his arrest in Crime No.131 of
2025 pending on the file of the respondent.

For Petitioner(s): Mr.Senthilvel

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



ORDER

The petitioner/accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 75, 118(1), 296(b) and 115(2) of B.N.S. and Section 4 of the TNPHW Act in connection with the Crime No.131 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on 24.11.2025 around 6.00 p.m., when the *de facto* complainant was in her house, the petitioner herein trespassed into the house and attempted to ravish her; later, the petitioner came to the house of the *de facto* complainant along with his brother and mother, abused the *de facto* complainant in filthy language and the petitioner's brother (A1) assaulted her and hence the case.

3. The learned counsel for the petitioner would contend that there was already a pathway dispute between the petitioner and the *de facto* complainant and therefore, in order to wreak vengeance, the present case has been foisted against the petitioner and his brother. He would further submit that the petitioner's brother (A1) has been arrested and released on bail. Hence, the petitioner may be released on anticipatory bail.



4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that based on the complaint given by the *de facto* complainant, the respondent police registered a case in Crime No.131 of 2025 for the offences under Sections 75, 118(1), 296(b) and 115(2) of B.N.S. and Section 4 of the TNPHW Act and the case is under investigation. He would further submit that none has been injured in this case and there is no previous case pending against the petitioner. However, he strongly opposed to grant anticipatory bail to the petitioner.

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

6. Considering the rival submissions on either side, considering the nature of offences, the fact that there was already a pathway dispute between the petitioner and the *de facto* complainant, that none has been injured in this case and further considering the fact that there is no previous case pending against this petitioner and that the co-accused has been released on bail, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. Accordingly, this criminal original petition is allowed and 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 **Judicial Magistrate, Pappireddipatti**, on condition that the petitioner 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 learned Magistrate concerned and on further condition that:

[a] the petitioner 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 petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of 30 days and thereafter as and when required for interrogation;

[c] 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 her from disclosing such facts to the Court or to any police officer;

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

[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 action against the 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]; and

[g] If the accused thereafter abscond, a fresh FIR can be registered under

Section 269 B.N.S.2023.

30-12-2025

nsd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes; 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 the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate, Pappireddipatti.

2.The Sub-Inspector of Police,
Gobinathampatti Police Station
(Crime No.131 of 2025)

3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

nsd

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