



... Petitioners in Crl.O.P.(MD)No.14264 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 28.08.2025

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL.OP.(MD)Nos.14264 & 14265 of 2025

1.Mahalashmi

2.Tamilselvi

3.Amsavalli

... Petitioners in Crl.O.P.(MD)No.14264 of 2025

4.Balamurugan

... Petitioner in Crl.O.P.(MD)No.14265 of 2025

Vs

The Inspector of Police,
Koodakovil Police Station,
Madurai District.
(Crime No.93 of 2025)

... Respondent in both Crl.OPs.

For Petitioners : Mr.G.Marichamy
(In Crl.O.P.(MD)No.14264 of 2025)

For Petitioner : Mr.L.Solomon Raja
(In Crl.O.P.(MD)No.14265 of 2025)

For Respondent : Mr.S.Prakash,
(in both Crl.OPs.) Government Advocate(Crl.side)

PETITIONS FOR ANTICIPATORY BAIL Under Sec.482 BNSS



COMMON PRAYER :-

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For Anticipatory Bail in Crime No.93 of 2025 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 296(b), 115(2), 132, 351(2) BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Cr.No.93 of 2025 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a matrimonial dispute between A1 and his wife, namely Malliga, due to which, A1 took the child. Therefore, the wife of A1 has lodged a complaint before the All Women Police Station, Thirumangalam. When the defacto complainant, who is the Inspector of Police, All Women Police Station, Thirumangalam, questioned about the same over phone, A1 abused her with obscene words. On the same day, at about 03.30 pm., when the defacto complainant went to the house of Malliga along with her driver for enquiry, the accused persons assaulted and abused her.

3.The learned counsel appearing for the petitioners submits that the petitioners are innocents persons and they did not commit any offence as alleged by the



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prosecution. He further submits that in fact, the defacto complainant has assaulted A2 and caused injuries. A2 was admitted in the Government Hospital, Thirumangalam on 12.08.2025 and discharged from the hospital only after four days. In order to get over from the offence committed by the defacto complainant, the present case has been foisted as against the petitioners.

4.The learned Government Advocate(Crl.side) appearing for the respondent Police submits that the Inspector of Police has been assaulted and abused by the petitioners.

5.The case in Cr.No.93 of 2025 has been registered on 12.08.2025, on the complaint of the Inspector of Police, All Women Police Station, Thirumangalam. According to the complaint, one Malliga, who is the wife of the first accused, has lodged a complaint before the complainant on 12.08.2025, at about 12.30 pm., that her husband has assaulted her in a drunken mode and has also taken away the child from her custody. Based on this complaint, the defacto complainant called A1 for enquiry. A1 said to have abused her in filthy language. Thereafter, at about 03.30 pm., the defacto complainant along with her driver went to the house of A1, where the accused were present and abused the defacto complainant, attacked her



and has also taken away the child.

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6.The first information report is also placed before this Court. FIR does not disclose as to whether defacto complainant / Inspector of Police has initiated petition enquiry, based on the complaint of the said Malliga and thereafter, conducted enquiry. It appears that without even initiating petition enquiry, the defacto complainant appears to have called the petitioners and directed to hand over the child. The defacto complainant has alleged that A1 abused her over phone. Further, FIR reveals that at about 03.30 pm., when the defacto complainant along with her driver went to the accused house, at that time, A1 came in a motor cycle and has abused the defacto complainant again and has also snatched away the child.

7.This Court could not understand as to where the 03.30pm., occurrence has taken place and whether it is in the petitioners' place or in the Police Station and it is not known that the defacto complainant went to the place of occurrence. This is how the complaint of the Inspector of Police has been registered in Cr.No.93 of 2025.

8.On the other hand, the petitioners claim that the defacto complainant has assaulted A2 and therefore, A2 was admitted in the Government Hospital,



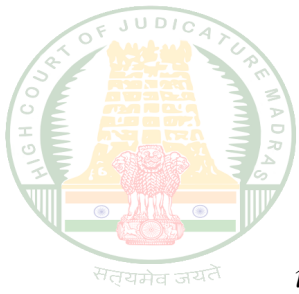
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Thirumangalmam and took treatment as in-patient for a period of four days. There is no reference about the same in FIR. Therefore, this Court is of the view that the complaint has been lodged in a vague manner, that too by the Inspector of Police, without proper details.

9.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

10.Accordingly, these criminal original petitions are allowed and 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, Thirumangalam, Madurai District on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thirumangalam, Madurai District and on further conditions that:-

i)The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address.



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ii)The petitioners shall appear before the respondent police as and when required. He has to co-operate for the investigation.

iii)The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioners shall be available for the trial as well.

iv)On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

11.This Court directs the Superintendent of Police, Madurai to verify the manner in which the case in Cr.No.93 of 2025 has been registered and shall also ensure that a proper and fair investigation is conducted in the said case.

sd/-
28/08/2025

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/09/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns
TO

1 The Judicial Magistrate,
Thirumangalam, Madurai District.



... Petitioners in Crl.O.P.(MD)No.14264 of 2025

2 The Superintendent of Police,
Madurai.

3 The Inspector of Police,
Koodakovil Police Station,
Madurai District.

4 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.14264 & 14265 of 2025
Date :28/08/2025

NM/04.09.2025/ 7P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023