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Crl.O.P.No.1117 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2026

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THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.1117 of 2026

Ganeshkumar S/o.Anandhan

... Petitioner

Vs

The State Rep. By,
The Inspector of Police,
All Women Police Station, Gumudipoondi,
Thiruvallur District.
(Crime No.17 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent in Crime No.17 of 2025 on the file of the respondent police.

For Petitioner : Mr. P. Chandra Sekar

For Respondent : M/s. J.R. Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b) and 323 of IPC, in Crime No.17 of 2025 on the file of the respondent Police, seeks anticipatory bail.



2. The case of the prosecution is that the marriage between the petitioner and the complainant was taken place in the year 2017 and from the date of marriage, there was harassment made to the complainant and it was alleged that the petitioner and his family members have collected the gold jewels of the complainant and spent it for some other purposes and further they have also not treated the complainant well and continuously harassed her. In spite of her best efforts, her husband and his family members forced her to move out of matrimonial home. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case and has not involved in any offences as alleged by the prosecution; the petitioner herein has also initiated matrimonial proceedings before the Sub Court, Ponneri, in HMOP.No.176 of 2025 and ready to cooperate for the investigation and the other co-accused were granted bail and that the petitioner is ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that as per the complaint, the



petitioner and his family members harassed the complainant and she further produced a copy of FIR before this Court and submitted that there is no previous case as against the petitioner.

5. I have also gone through the FIR copy and other connected materials and considering the submissions made, facts and circumstances of this case, nature of allegation, the fact that there are several matrimonial disputes pending between the parties and for such disputes, I am of the view that the custodial interrogation of the petitioner is not necessary, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 **learned DMC-cum-Judicial Magistrate, Gumidipoondi**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of copy of this order, this Order shall



stand automatically cancelled;

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[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 the identity 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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

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

21.01.2026

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K. RAJASEKAR, J.

ssa

To

1. The DMC-cum-Judicial Magistrate, Gumidipoondi,
2. The Inspector of Police,
All Women Police Station, Gumudipoondi,
Thiruvallur District.
(Crime No.17 of 2025)
3. The Public Prosecutor,
High Court of Madras.

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