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CRL OP No. 731 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 731 of 2026

1. Magesh Babu

2. Balu

3. Vasumathy

Petitioner(s)

Vs

State Rep by
The Inspector of Police,
All Women Police Station, Ambur,
Thirupathur District.

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023, to grant anticipatory bail to the petitioners in crime No.34 of 2025, on the file of Respondent All Women Police Station, Ambur- 635802, Thirupathur District.

For Petitioner(s):Ms.Thamizharasi Sundaramoorthy

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

ORDER

The petitioners herein, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 74, 115(2), 296(b), 316(2) and 351(2) of BNS, in Crime No.34 of 2025 on the file of the respondent Police, seek anticipatory bail.



2. The case of the prosecution is that, the first petitioner is the husband of the de facto complainant and that their marriage was solemnized on 05.12.2024. Pursuant to which, the de facto complainant has been harassed by the petitioners and they have also collected the gold jewels belonging to the de facto complainant. Subsequently, the petitioners have demanded 30 sovereigns of gold jewellery and a sum of Rs.10 lakhs for continuing the matrimonial life. As the de facto complainant was unable to meet the said demand, she was forced to leave the matrimonial home. Thereafter, the de facto complainant has been residing in her parental home, hence, the case has been registered.

3. The learned counsel appearing for the petitioners submitted that the first petitioner and the de facto complainant lived together only for a short period and that a false complaint has been registered due to matrimonial dispute. Further, he submitted that the petitioners have not harassed the de facto complainant and have not collected any money from her. It is also submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court and to co-operate for the investigation, hence sought for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioners



reiterated the prosecution case and submitted that the investigation of this case is pending and that the jewels have not been recovered. Hence, she vehemently opposed for the grant of anticipatory bail to the petitioners.

5. Considering the submissions made by the learned counsel on either side, facts and circumstances of this case, and also the fact that investigating the case of this nature, the custodial interrogation of the petitioners is not necessary, therefore, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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 on which the order copy made ready, before the **learned Judicial Magistrate Court, Ambur** on condition that the petitioners 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 petitioners fail 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;



[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 petitioners shall report before the respondent police daily at 10.30.a.m., for a period of four 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 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)13 SCC 283]**;

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

12-01-2026

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



To

1. The Judicial Magistrate Court, Ambur.

2. The Inspector of Police,
All Women Police Station, Ambur, Thirupathur District.

3. The Public Prosecutor,
High Court of Madras, Chennai.



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K.RAJASEKAR J.
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