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Crl.O.P.No.1158 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.1158 of 2026

1. Babu Prasath S/o.Seerangan
2. Thulasi D/o.Shanmugam
3. Babupriya D/o.R.Sreerangan
4. Sreerangan S/o.Ramasamy
5. Sivakami W/o.Seerangan
6. Deepa D/o.Shanmugam

... Petitioners / Accused

Vs

The State Rep. By,
The Special Sub Inspector of Police,
All Women Police Station,
Attur, Salem District.
(Crime No.03 of 2026)

... Respondent/ Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners herein on anticipatory bail in the event of their arrest by the respondent in Crime No.03 of 2026 on the file of the respondent police.

For Petitioners : Mr. N.Umapathi

For Intervenor : Mr.Irfan Nawaz Khan

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

ORDER

The petitioners herein, who apprehend arrest at the hands of the respondent



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police for the offences punishable under Sections 296(b), 351(1), 61(2), 82(1) and 85 of BNS, 2023, in Crime No.03 of 2026 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that, the first petitioner herein is the husband of the defacto complainant and all others are relatives of the first petitioner. It is alleged that the marriage of the first petitioner and the defacto complainant was taken place as early as in the month of February, 2019, and from that day, there was harassment and intimidation on the defacto complainant. Further there was also a demand of 30 sovereigns of gold and five lakhs cash and due to the harassment, she was forced to leave the matrimonial home and been deserted by the petitioners. Hence, she has lodged the complaint as early as in the month of January, 2021; thereafter, the first petitioner has also initiated matrimonial proceedings before the Sub Court, Attur; subsequently, the defacto complainant initiated maintenance proceedings before the Judicial Magistrate, Attur; further, it is alleged that the first petitioner developed a relationship with another woman and have a child and residing with her. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case; that they are innocent and have not indulged in any of the offence alleged; even the alleged occurrence was said to



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be taken place in the year 2021 but the complainant filed the complaint only in the year 2025 and are ready 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 there is one previous case pending as against the petitioners and the defacto complainant faced serious harassment from the hands of the entire family members of the first petitioner and apart from that after she left the first petitioner, he joined with the another lady and has also beget a child and sending the photographs of the child to the defacto complainant and harassing her.

5. Considering the submissions made, facts and circumstances of this case, nature of allegation, the fact that majority of the allegations were taken place in the year 2021 and subsequently, both the parties have initiated matrimonial proceedings by way of original petitions and maintenance case and separate private complaints were also given, this Court is of the view that custodial interrogation of the petitioners is not necessary for the purpose of investigation, hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 No.I, Attur**, 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 two 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



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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.

02.02.2026

ssa

To

1. The Judicial Magistrate - I,
Attur.
2. The Special Sub Inspector of Police,
All Women Police Station,
Attur, Salem District.
(Crime No.03 of 2026)
3. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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