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CRL OP No. 1308 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

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THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 1308 of 2026

1. Venkatesan
2. Kesavarthini

..Petitioners

Vs

State, rep. by
The Sub Inspector of police,
AWPS Kancheepuram Police Station,
Kancheepuram District.
(Crime.No. 53 of 2025)

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of BNSS to enlarge the Petitioners on bail in the event of their arrest in connection with in Crime No. 53 of 2025 on the file of Respondent Police and thus render justice.

For Petitioners:	Mr.Appaswamee V.R
For Respondent:	Ms.J.Archana Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 296(b), 115(2), 82 and 85 of BNS in Crime No.53 of 2025, on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that the first petitioner married the de facto complainant in the year 2016 and they were living together for



some time and after the birth of their child, the first petitioner gone out of State for work and started avoiding the de facto complainant and failed to contact her.

On suspicion, the de facto complainant after thorough verification came to know that the first petitioner was having love affair with the second petitioner and was living separately with her. When the said act was questioned by the de facto complainant, the first petitioner abused and assaulted her. Hence, case has been registered.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocents and they have been falsely implicated in this case. He further submitted that the petitioners are ready to co-operate with the investigation and prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that investigation in this case is pending. Hence, she opposed the grant of anticipatory bail to the petitioners.

5. I have gone through the FIR and other connected materials and I am of the view that the custodial interrogation of the petitioners is not necessary to investigate with the case of this nature. Hence, I am inclined to grant



anticipatory bail to the petitioners subject to 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 (15) days from the date on which the order copy made, before the learned ***Judicial Magistrate No.II, Kancheepuram*** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a 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 identify proofs to ensure their identity;

(c) **The petitioners 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 aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate



actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e)If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

22-01-2026

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To

1. The Judicial Magistrate No.II,
Kancheepuram
2. The Sub Inspector of police,
AWPS Kancheepuram Police Station,
Kancheepuram District.
3. The Public Prosecutor
High Court of Madras



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K.RAJASEKAR, J.

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