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CrI.OP.No. 1495 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 1495 of 2026

Ashok

...Petitioner/A4

Versus

The State rep. by
The Inspector Of Police
AWPS- Vandalur
Tambaram District
Crime No. 39 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest pending investigation in Cr.No. 39 of 2025 on the file of the respondent police.

For Petitioner : Mr.R.Thamaraiselvan
For Respondent : Ms.J.R. Archana
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 85, 79, and 351(2) of BNS in Crime No. 39 of 2025, on the file of the respondent Police, seeks anticipatory bail.



2.The allegation against the petitioner is that A1 induced the de-facto complainant who is a divorcee, to marry him, by falsely claiming that he was also a divorcee. Post-marriage, he harassed the de-facto complainant by demanding a new house, and pressured her to undergo miscarriage. When she refused, he continued to harass her and also threatened her with dire consequences. Hence, the case.

3.The learned Counsel for the petitioner submitted that the de-facto complainant was aware of the 1st petitioner's ongoing first marriage when she married him. He claims that there is no harassment as alleged in the FIR and reported that the de-facto complainant attempted to suicide. However, the petitioner is ready to co-operate with the investigation. He prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submitted that the FIR was registered very recently and the investigation in this case is still pending. He further submitted that the victim was also delivered a child. However, she opposed to grant anticipatory bail to the petitioner.



5. Heard the learned counsels and perused the materials available on record.

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6. Considering the nature of the allegations, and other facts and circumstances of the case, I am of the view that the custodial interrogation of the petitioner is not necessary to investigate the case of this nature, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 **Judicial Magistrate No.I, Tambaram**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty 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 fail to surrender before the concerned Magistrate, within a period of fifteen 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 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.

MSM

23.01.2026



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To

1.The Judicial Magistrate NO.I, Tambaram.

2.The Inspector Of Police

AWPS- Vandalur

Tambaram District

Crime No. 39 of 2025.

3. The Public Prosecutor,

High Court of Madras.



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K.RAJASEKAR, J.

MSM

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