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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 3533 of 2026

Barvej

Petitioner

Vs

The State, Rep. By

The Inspector of Police

All Women Police Station

Sankari, Salem District

Crime No. 4 of 2026.

...Respondent

Prayer: Criminal Original Petition is filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No. 6 of 2026 on the file of respondent police.

For Petitioner : Mr.W.Camyles Gandhi

For Intervener : Ms.S.Gayathri

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 Section 85 of BNS in Crime No. 4 of 2026, on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner is the husband of the de-facto complainant in this case and the marriage was taken place in the year 2022 and the petitioner continuously harassed the de-facto complainant and her family members and further, he made life threat to the de-facto complainant and her family members. The petitioner has not even come forward to provide assistance for his child. Hence, a case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and the petitioner has been falsely implicated in this case. The petitioner as well as the de-facto complainant are the husband and wife. He further submitted that the petitioner financial assistance to the de-facto complainant and her family also. Therefore, he prayed to anticipatory bail to the petitioner.

4. Ms. S. Gayathri, learned Counsel for the Intervener submitted that the petitioner continuously made life threat to the de-facto complainant and her family members and if the petitioner is granted bail he will indulge in similar offence. Therefore, he strongly opposed to grant anticipatory bail to the petitioner.



5. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submitted that there was some matrimonial dispute arose between the petitioner and the de-facto complainant. He further submitted that the FIR has been registered recently. Hence, he opposed to grant anticipatory bail to the petitioner.

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

7. Considering the nature of allegations, and though it is stated that the petitioner is not supporting his family, and also continuously harassed the victim lady, I am of the view that to investigate the case of this nature, the custodial interrogation of the petitioner is not necessary and also considering the averments in FIR, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is 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 **District Munsif Cum Judicial Magistrate, Edappadi**, on condition that the

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petitioners 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 petitioners 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 am 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 petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs.**



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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.

13.02.2026

MSM

To

1.The Inspector of Police
All Women Police Station
Sankari, Salem District
Crime No. 4 of 2026

2. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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