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CrI.OP.No.4892 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CrI.O.P.No.4892 of 2026

1. Thulukkanam E
2. Rajeshwari
3. Madan @ Magesh Kumar
4. Surya

... Petitioners

Vs.

State rep by
The Inspector of Police,
Gummidipoondi Police Station,
Tiruvallur District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to grant anticipatory bail to petitioner in the event of his arrest or in his appearance before any court in connection with the case in Cr.No.45 of 2026 pending investigation on the file of the respondent police herein.

For Petitioners : Mr.S.Malar Mannan

For Respondent : Ms.J.R.Archana
Government Advocate (CrI.side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 296(b), 115(2), 351(2) of BNS and under Section 4 of Tamilnadu



Prohibition of Harassment of Women Act in Cr.No.45 of 2026, pending investigation on the file of the respondent police seek anticipatory bail.

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2. The allegation against the petitioners is that they are the in-laws of the defacto complainant. It is alleged that the husband of the defacto complainant was suffering from cancer, and taking advantage of the situation, the first petitioner, on 19.02.2025, attempted to commit sexual assault on his daughter-in-law/defacto complainant. When she raised an objection, the other accused, knowing the same, came there and threatened her with dire consequences. Further, A1 attacked her by punching and kicking various parts of her body, including her breast, which resulted in severe injuries. Thereafter, the defacto complainant was admitted to the hospital and lodged a complaint. Hence, the present petition has been filed by the petitioners seeking anticipatory bail.

3. The learned counsel appearing for the petitioners submitted that, due to a family dispute, a false complaint has been lodged against them. He further submitted that the petitioners are ready to cooperate with the investigation and that there are no allegations of molestation as stated in the complaint. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (CrI. Side) appearing for the respondent police reiterated the prosecution case and submitted that it is a



case of assault on the daughter-in-law by the first accused, causing serious injuries. Apart from that, there was also an allegation of sexual assault on her. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. I have also gone through the statement and other connected materials, including the Accident Register, which reveals that the victim sustained severe injuries, and the same has been duly recorded. Considering the allegations against A1, I am not inclined to grant anticipatory bail to him. As far as the other accused are concerned, I am inclined to grant anticipatory bail to the petitioners 2 to 4, subject to certain conditions.

7. Accordingly, the petitioners 2 to 4 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 ***District Munsif-Cum-Judicial Magistrate, Gummidipoondi*** on condition that each of the petitioners 2 to 4 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 2 to 4 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 2 to 4 shall report before the respondent police daily at 10.30a.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 2 to 4 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4 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.

8. This Criminal Original Petition stands dismissed as against A1.

27.02.2026

Vv



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To

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1. The ***District Munsif-Cum-Judicial Magistrate, Gummidipoondi***
2. The Inspector of Police,
Gummidipoondi Police Station,
Tiruvallur District.
3. The Public Prosecutor
High Court of Madras, Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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