



WEB COPY

CRL OP No. 6485 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6485 of 2026

1.Abibu Rahman alias Habbebn Rahman

S/o.Mohamed Huseean,

Amithiyanagar,

Muslimkovilpalayam,

Koilpalayam,

Kinathukadavu,

Coimbatore District-642110.

2.Kavitha

D/o.Pallpandiyan,

1/A, Ponnammal Layout,

Velan Nagar,

Udumalaipettai,

Tiruppur District-642126.

..Petitioner(s)

Vs

The state rep.by,

The Inspector of Police,

Udumalpet Police Station,

Tiruppur District.

Cr.No.44 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to grant anticipatory bail to the petitioners in the event of their arrest or on their appearance before any court in connection with the case in Cr.no.44 of 2026 pending investigation on the file of the respondent police.

For Petitioner(s):

N.S.Suganthan

For Respondent(s):

Mr.P.Dhileepan

Government Advocate (Crl.Side)



ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 126(2), 133, 351(3) of BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.44 of 2026 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the first petitioner is the husband of the defacto complainant. It is alleged that the first petitioner was in an illicit relationship with the second petitioner and, therefore, the defacto complainant started living separately from him and initiated matrimonial proceedings against the first petitioner before the Pollachi Court. While so, on 20.01.2026, when the defacto complainant attended the Court hearing and was returning along with her relatives in a car, the first petitioner and other accused followed their car. When the car was halted at the Indian Oil Petrol Bunk on Dharapuram Road, the first petitioner and the other accused snatched the car key and abused and assaulted the defacto complainant and her relatives.

2.1. Thereafter, the defacto complainant and her relatives, out of fear, left the place and boarded a bus. Even thereafter, the first petitioner and the other accused followed the bus, blocked it, pulled the defacto complainant out of the



bus and assaulted her with their hands. In the meantime, the second petitioner also came to the spot and slapped the defacto complainant with a slipper. Thus, the petitioners assaulted the defacto complainant in a public place and also threatened her with dire consequences. Thereafter, the passengers in the bus and the relatives of the defacto complainant secured her and took her to the hospital. Subsequently, a complaint was lodged before the respondent police, a case was registered and the petitioners were arrayed as accused in this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and that, due to a sudden quarrel, both parties exchanged blows. He further submitted that the petitioners have no previous antecedents and that they are ready to abide by any conditions that may be imposed by this Court. He also submitted that this is the second anticipatory bail petition and that the earlier anticipatory bail petition was dismissed by this Court in Crl.O.P. No.2663 of 2026 dated 05.02.2026. Hence, he prayed for anticipatory bail for the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail, reiterated the prosecution case and submitted that the petitioners followed the defacto complainant and attacked her in a public place and that the investigation is still pending.



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C.KUMARAPPAN, J.

MPA

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent.

6. From the submissions made by the learned Government Advocate (Crl. Side), it is seen that this is a case where the petitioners allegedly assaulted the witnesses who had come out of the Court after deposing. It is further submitted that the injured was hospitalized due to the assault made by the petitioners. Furthermore, it is relevant to note that the second petitioner has six previous cases against her. In view of the above factual position and considering the allegation that the petitioners have assaulted the witnesses, this Court is of the view that the petitioners do not deserve the grant of anticipatory bail. Accordingly, this Criminal Original Petition stands dismissed.

13-03-2026

MPA

To

1.The Inspector of Police,
Udumalpet Police Station,
Tiruppur District.
Cr.No.44 of 2026.

2.The Public Prosecutor, High Court of Madras,
Chennai.

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