



WEB COPY

CRL OP No. 8877 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8877 of 2026

1. Esakkiammal
2. Basker
3. Selvam

..Petitioners

Vs

State rep. by
The Inspector of Police,
T-9 Avadi Police Station,
Tiruvallur District.
(Crime No. 120 of 2026)

..Respondent

Prayer: Criminal Original Petition filed under section 482 of BNSS to enlarge the petitioners on Bail in the event of their arrest pending investigation in Crime No. 120 of 2026 on the file of the respondent police and thus render Justice .

For Petitioners:

Mr.C.S.Saravanan

For Respondent:

Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioners apprehends arrest for the alleged offence under Sections 329(4), 296(b), 115(2), 324(2) and 351(2) of BNS 2023 (448, 294(b), 323, 426 and 506(ii) of IPC and r/w 4 of TNHW Act in Crime No.120 of 2026 on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is allegedly is that de facto complainant and the 1st petitioner's husband had illicit relationship. Due to which, the 1st petitioner along with others went to the place of the de facto complainant and entered into quarrel. Hence, this case.

3. The learned counsel for the petitioners submitted that there is illegal relationship between husband of 1st petitioner and the de facto complainant. When this petitioner has questioned the conduct of the de fact complainant, the present occurrence took place and in furtherance thereof, the de fact complainant sustained simple injury and discharged on same day. Therefore, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and hence, he opposed to grant anticipatory bail to the petitioners.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. Considering the facts and circumstances of the case and taking into consideration of the totality of the circumstances and the discharge of the de



facto complainant from the hospital, this Court is of the view that custodial interrogation of the petitioners is not required at this length of time, as the FIR was registered on 09.03.2026. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail subject to certain conditions.

7. 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 is made ready, before the **learned Judicial Magistrate No.II, Poonamallee**, on condition that **the petitioners shall execute a separate 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 conditions:

(a) If the petitioners fails to surrender before the concerned learned 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, everyday at 10.30 a.m., for a period of two 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

08-04-2026

SHL

To:

1. The Judicial Magistrate No.II,
Poonamallee

2. The Inspector of Police,
T-9 Avadi Police Station,
Tiruvallur District.

3. The Public Prosecutor
High Court of Madras



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