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Crl.O.P.No.11967 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.05.2026

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.11967 of 2026

1. Faritha
2. Hussain
3. A.Ghouse
4. Javeed @ Mohammed ... Petitioner

Vs.

State, represented by
The Inspector of Police,
Marina Police Station,
Mylapore, Chennai City.
(Crime No.74 of 2026) ... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, pleaded to grant the anticipatory bail in the event of their arrest in connection with Crime Number 74 of 2026 on the file of the respondent Police.

For Petitioner : Mr.R.Vignesh
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)



CrI.O.P.No.11967 of 2026

ORDER

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The petitioners / accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2) and 118(1) of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women (TNPHW) Act, in connection with the Cr. No.74 of 2026 seek anticipatory bail.

2. The case of the prosecution is that, on 08.03.2026, when the defacto complainant's cousin sister, namely Reshma, was returning home from a shop, Accused No.1 allegedly threw a tea glass at her and abused her in unparliamentary language. Thereafter, the defacto complainant, along with his brother Javeed and his maternal aunt, went to the house of Accused No.1; however, he was not present there, and his father informed them that they had gone to the police station. Immediately, the defacto complainant, along with his brother and maternal aunt, proceeded to the respondent police station, where they found the accused persons. It is further alleged that, during the enquiry at the police station, the accused persons assaulted the defacto complainant with hands and a helmet, causing injuries to him. Hence, the case.



Crl.O.P.No.11967 of 2026

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the petitioners have also lodged a counter case against the defacto complainant. He would further submit that the injured has been discharged from the hospital. Hence, he prays for grant of bail to the petitioners.

4.The learned Government Advocate (Crl. Side) for the respondent would submit that due to family dispute between the parties, the petitioners abused the defacto complainant and his family in filthy language and assaulted them with hand and helmet and caused injuries. He would further submit that there is no previous case against the petitioners and the injured has been discharged from the hospital. He would also submit that a counter complaint has been lodged against the defacto complainant. However, he opposed to grant of anticipatory bail to the petitioners.

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

6. Considering that there is a family dispute pending between the parties and that the injured has been discharged from the hospital and



Crl.O.P.No.11967 of 2026

considering that there is no previous case against the petitioners and that there is a case in counter, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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 made ready, before the learned **Chief Metropolitan Magistrate, Chennai** on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police, **on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.**

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



Crl.O.P.No.11967 of 2026

WEB COPY

[c] the petitioners shall not leave India without the previous permission of the Court;

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

13.05.2026

rkp/lpp

Note:-

1. Registry is directed to forthwith upload this order in the official website of this Court.
2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

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Crl.O.P.No.11967 of 2026

P.DHANABAL, J.

rkp/lpp

To

1. The Chief Metropolitan Magistrate,
Chennai.
2. The Inspector of Police,
Marina Police Station,
Mylapore, Chennai City.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.11967 of 2026

13.05.2026