



WEB COPY

CRL OP No. 12023 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 14-05-2026**

CORAM

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

**CRL OP No. 12023 of 2026  
and Crl MP No.8600 of 2026**

1.Saravanakumar  
S/o.Radhakrishnan

2.Vaijayanthi  
W/o.Paul Samuel

..Petitioner(s)

Vs

The State Rep By,  
The Inspector of Police  
F-3, Nungambakkam Police Station,  
Crime No.137 of 2026.

..Respondent(s)

**Prayer:** Criminal Original Petition filed under Section 482 of BNSS, seeking to enlarge the Petitioners on bail in the event of their arrest by the respondent in respect of Crime No.137 of 2026 on the file of the respondent.

For Petitioner(s): Mr.MA. Gowthaman

For Respondent(s): Mr.A.Gopinath,  
Government Advocate (Crl.Side)

For Intervener: Mr.S.Kalaikumar

### **ORDER**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(2) and 351(2) of BNS, 2023, in Crime No.137 of 2026 on the file of the respondent police, seeks anticipatory bail.



2. It is the case of the prosecution that, the defacto complainant is the legally wedded wife of the first petitioner who is having an illegal affair with the second petitioner. When it was questioned by the defacto complainant, the petitioners attacked the complainant. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and has not committed any offence as alleged by the prosecution. He submitted that there is a matrimonial dispute between the parties and there is a case in counter. He further submitted that there is no previous case pending against the petitioners. He also submitted that the petitioners are ready to abide by any stringent conditions imposed by this Court. Hence, he prayed for the grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent, reiterated the prosecution case and submitted that there is a matrimonial dispute between the parties. He further submits that the petitioners has no previous case as against them. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

5. Learned counsel appearing for the intervener, reiterated the prosecution case and submitted that there is a matrimonial dispute between the parties. He further submits that the petitioners had attacked the defacto complainant who is



the legally wedded wife of the first petitioner. Since the petitioners attacked her, she sustained injuries and still undergoing the treatment for the same. He also submits that the defacto complainant is physically disabled person. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

6. Heard the learned counsel on either side and perused the materials available on record.

7. Considering the submissions made by the learned counsel on either side, nature of offences, and also considering the fact that there are no previous cases pending against the petitioners and there is a matrimonial dispute between the parties, I am inclined to grant anticipatory bail to the petitioners on certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Chief Metropolitan Magistrate, Egmore, Chennai**, on condition that the petitioner 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 respondent Police or the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed



and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

**[b] the petitioner 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;**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not leave India without the prior permission of the Court.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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];

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

9. Accordingly, this Criminal Original Petition and Criminal Miscellaneous Petition are ordered.

**14-05-2026**

Index: Yes/No

Neutral Citation: Yes/No

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1. The Inspector of Police,  
F-3, Nungambakkam Police Station,  
Crime No.137 of 2026.

2. The Chief Metropolitan Magistrate, Egmore, Chennai.

3. The Public Prosecutor,  
High Court, Madras.



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**P.DHANABAL, J.**

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