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CRL OP No. 12389 of 2



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 13-05-2026**

**CORAM**

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

**CRL OP No. 12389 of 2026**

Kesavan  
S/o.Suresh,  
No.30a/31, Barathi Nagar,  
Periyanathan,  
Chengalpattu Taluk and District.

..Petitioner(s)

Vs

State rep by, The Inspector of Police,  
Chengalpattu Town Police Station,  
Chengalpattu District.  
Crime No.480 of 2025.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of B.N.S.S., 2023, to enlarge the Petitioner on bail in the event of his arrest by the respondent police concerned in Crime No.480 of 2025 on the file of the respondent, on such terms and conditions and as this Honble Court may deem fit and proper and thus render justice.

For Petitioner(s): Mr. R. Parthiban

For Respondent(s): Mr. S. Balaji,  
Government Advocate (Crl.Side)



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## **ORDER**

The petitioner / accused, who apprehends arrest in the hands of the respondent police for the offence punishable under Sections 296(b), 115(2), 85 and 88 of the BNS, 2023 in connection with the Crime No.480 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/husband harassed the defacto complainant/wife. On the date of occurrence, the petitioner, after consuming alcohol, abused the complainant in filthy language and assaulted her by kicking her. At that time she was pregnant and due to the impact of the assault, she suffered severe pain and miscarriage. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that Petitioner has no previous cases. However, he vehemently opposed to grant anticipatory bail to the Petitioner.



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

6. Considering the rival submissions made on either side and the nature of offences and taking into account the fact that the alleged occurrence took place on 22.07.2025 and that the respondent police have not effected the arrest of the petitioner so far and that the petitioner has no previous cases, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Magila Court, Chengalpattu** 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 learned Magistrate concerned and on further condition that:

**[a] the petitioner shall report before the respondent police daily at 10.00 a.m., for a period of 30 days and thereafter as and when required for interrogation.**

[b] the petitioner 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 her from disclosing such facts to the Court or to any police officer;



[c] the petitioner shall not leave India without the prior permission of the Court;

[d] the petitioner 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 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]*.

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

**13-05-2026**

AT

**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 the official website of this Court will be watermarked and will also have a QR code.



1. The Magila Court, Chengalpattu.
2. The Inspector of Police,  
Chengalpattu Town Police Station,  
Chengalpattu District.
3. The Public Prosecutor,  
High Court of Madras.

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**P.DHANABAL, J.**

AT

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