



WEB COPY

CRL OP No. 13170 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13170 of 2026

1. Karthikeyan S
Residing at No.910,
9th Floor,RWD Lemongraz,
Kallikuppam Arch,
Ambattur OT,
Ambattur,
Tiruvallur District - 600 053.
2. Prema V.K
Residing at No.910,
9th Floor,RWD Lemon Graz,
Kallikuppam Arch,
Ambattur,
Tiruvallur District - 600053.

..Petitioner(s)

Vs

State Rep By,
The Inspector of Police,
All women Police Station,
Ambattur.
(Crime No Not Known of 2026)

..Respondent(s)

PRAYER: Criminal Original Petition has been filed under Section 482 of BNSS, praying to enlarge the Petitioners on bail bail in the event of their arrest in Crime No Not known of 2026 pending investigation on the file of the respondent police.



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For Petitioner(s):

Mr.K.R Arun Shabari

For Respondent(s):

Mr.N.Palanivel,
Government Advocate (Crl. Side)

For Intervener(s):

Mr.K.G.Senthil Kumar

Order

The petitioners apprehend arrest for the alleged offence under Section 85 of BNS, in Crime No.Not known 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 and the second petitioner is the mother-in-law of the defacto complainant. The first petitioner has been frequently quarrelling with the defacto complainant and also harassing her sexually. Further, the first petitioner along with other family members threatened the defacto complainant with dire consequences. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that in fact, the defacto complainant had attacked the second petitioner violently causing skull injury to the second



petitioner who is aged about 67 years. The defacto complainant left the matrimonial home on her own volition and lodged a false complaint against the petitioners. He further submits that the petitioners are ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Counsel (Criminal Side) appearing for the respondent police reiterated the prosecution case and he submitted that the respondent police initially received a complaint from the defacto complainant and now registered a case in Crime No.13 of 2026 under Section 85 of the BNS, 2023. He further submitted that the investigation of the case is still pending and hence, he strongly opposed to grant anticipatory bail to the petitioners.

5. The learned counsel appearing for the intervenor strongly opposed to grant anticipatory bail to the petitioners.

6. I have given my anxious consideration to either side submissions and perused the materials available on record.

7. From the submissions made by either side, it is seen that there is a matrimonial dispute between the petitioners and the defacto complainant. The first petitioner, is the husband of the defacto complainant and the second



petitioner is the mother-in-law of the defacto complainant. Though, there are allegations and counter allegations, what we are looking at is whether the custodial interrogation of the petitioners is required or not. After going through the averments in the FIR, this Court is of the view that custodial interrogation of the petitioners are not required. 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, Ambattur**, on condition that **the petitioners shall execute a bond for a sum of Rs.20,000/- each (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 fail 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;



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(c) The petitioners shall report and sign before the respondent Police, everyday at 10.30 a.m., for a period of 15 days 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.

15-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1.The Inspector of Police,
All Women Police Station,
Ambattur.

2.The Judicial Magistrate,
Ambattur.

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN J.

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