



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-05-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

CRL OP No. 13733 of 2026

P. Joy
S/o.Paul Raj
No.315, 6th Street,
Thirumullaivoil
Masilamaneeswarar Nagar,
Chennai-600 062

..Petitioner/Accused

Vs

The State rep by its,
The Sub-Inspector of Police
AWPS Avadi,
Avadi
Crime No.12 of 2026

..Respondent/
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the Petitioner on bail in the event of petitioner's arrest in Crime No.12 of 2026 on the file of the Respondent police.

For Petitioner:

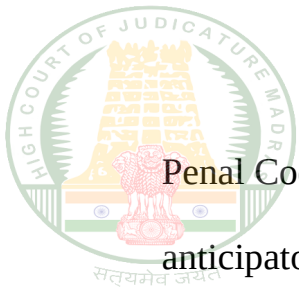
Mr.P Jayachandran

For Respondent(s):

Mr.S.Yogaraja Sekar,
Government Advocate (criminal side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 498 (a), 323 of the Indian



Penal Code, in Crime No. 12 of 2026 on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that the marriage between the petitioner and the defacto complainant was solemnised on 04.09.2019 and after the marriage, the petitioner and his family members subjected the defacto complainant to cruelty by abusing her in filthy language, preventing her from speaking with her parents and treating her harshly and not even allowed the defacto complainant to take care of her children. Hence the complaint.

3. The learned counsel for the petitioner, pleading innocence on the part of the petitioner and false implication in the case, seeks indulgence of this Court. He submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Therefore he prayed to grant anticipatory bail to the petitioner.

4. Per contra, the case of the prosecution as put forth by the learned Government Advocate (criminal side) appearing for the respondent police, opposing for grant of anticipatory bail, is that serious allegations have been



made against the petitioner and his family members with regard to matrimonial cruelty, assault and dowry harassment and that the investigation is at the initial stage. It is further submitted that custodial interrogation of the petitioner may be necessary for effective investigation and therefore sought for dismissal of the anticipatory bail application.

5. Having heard the learned counsel for the petitioner, the learned Government Advocate (criminal side) appearing for the respondent police and perused the materials available on record and considering the nature of allegations, the relationship between the parties and the fact that the dispute appears to arise out of matrimonial discord, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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 **learned Judicial Magistrate-I, Poonamallee**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the concerned 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, daily at 10.30 a.m., until further orders;

[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] 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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.,2023.

27.05.2026

jrs/rpp

Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on 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.



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1. The Judicial Magistrate Court, Poonamallee.
2. The Sub-Inspector of Police
AWPS Avadi, Avadi
Crime No.12 of 2026
3. The Public Prosecutor,
Madras High Court.



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MOHAMMED SHAFFIQ, J.

JRS/rpp

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