



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14506 of 2026

1. Athithyan
2. Ramabai

..Petitioner(s)

Vs

The State rep.by,
The Inspector of Police,
Women Police station,
Puducherry.
Cr.No.8 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail in the
event of arrest in connection with the Cr.No.08 of 2026 on the file of respondent
Police.

For Petitioner(s):	Mr.Abdul Kareem
For Respondent(s):	Mrs.G.Djearany Government Advocate (Puducherry)

ORDER

The petitioners apprehend arrest for the alleged offences under Sections
3 (5), 316 & 85 of BNS in Crime No.8 of 2026 on the file of the respondent
police seek anticipatory bail.

2. The case of the prosecution is that the first petitioner is the husband of
the defacto-complainant. In the matrimonial dispute, the first petitioner
allegedly assaulted the defacto-complainant in her abdomen, causing her to



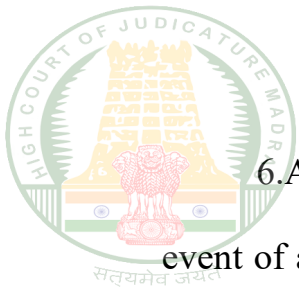
deliver a premature child on 16.08.2022, who subsequently passed away on 18.08.2022. Hence, the case.

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3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. He further states that the alleged occurrence took place on 13.08.2022, and the First Information Report was only registered on 27.05.2026. Hence, he prayed for grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that no previous cases have been registered against the petitioners. However, he opposed the grant of anticipatory bail to the petitioners.

5. Although the learned Government Advocate raised a strong objection, this issue arose from a longstanding matrimonial discord between the husband and wife. Furthermore, the alleged occurrence took place on 13.08.2022, and the First Information report came to be registered on 27.05.2026. Taking into consideration the totality of the circumstances and the fact that the petitioners have no adverse antecedents, this Court is of the firm view that the custodial interrogation of the petitioners is not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.



6. 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 Mahila Court, Puducherry**, on condition that **the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fails 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;

(c) The petitioners shall report before the respondent police daily morning at 10.30 a.m. for a period of fifteen days; 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]*;



C.KUMARAPPAN, J.

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(e) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

12-06-2026

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To

1.The Mahila Court, Puducherry.

2.The Inspector of Police,
Women Police station,
Puducherry.

3.The Public Prosecutor
High Court of Madras.

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