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Crl.O.P.No.27253 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.27253 of 2025 and
Crl.M.P.No.18930 of 2025

Ajith Vinithraj

... Petitioner/A1

Vs.

State Rep by
The Inspector of Police,
All Women Police Station (AWPS),
Selaiyur,
Chengalpattu District.
(Crime No.36 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Crime No.36 of 2025 on the file of the respondent police.

For Petitioner	:	Mr.Siva Kumar
For Respondent	:	Ms.J.R.Archana
		Government Advocate (Crl. Side)
For Intervenor	:	Mr.Abinesh Babu

ORDER

The petitioner apprehends arrest for the alleged offence **under Sections 498(A), 312, 406, 294(b) of IPC in Crime No.36 of 2025**, on the file of the respondent police seeks anticipatory bail.



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2. The allegation against the petitioner is the petitioner is the husband of the defacto complainant and their marriage was taken place on 21.04.2024. After marriage, they started demanding gold jewels and money from the defacto complainant. Further, the petitioner herein also maintained an extramarital relationship with another woman, causing mental agony to her. Further, the petitioner allegedly forced her to undergo a miscarriage, and ousted her from the matrimonial home and directed her to live with her parents house and also throw back all the dresses belongs to her and subsequently, refused to join with her in the matrimonial life. Hence, a case has been registered.

3. The learned counsel for the petitioner submitted that due to matrimonial dispute the defacto complainant has deserted the matrimonial home and that her affidavit seeks only the return of Rs.5 lakhs and expresses not interested to lead the matrimonial home with the petitioner. He further submitted that he is ready to co-operate with the investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned counsel for the Intervenor submitted that it is not only



the case of harassment but also the case of forced the victim to undergo a miscarriage and further the petitioner is in an extramarital relationship with another woman, and the investigation in this case is still pending. Hence, he opposed to grant anticipatory bail to the petitioner.

5.The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution's case and upon instructions submitted that the investigation in this case is still pending. Hence, she opposed to grant anticipatory bail to the petitioner.

6.I have also gone through the records and the contention in the FIR. It revealed that the majority of the allegation relates to that there is a matrimonial issues and demanded money and forced the victim to undergo miscarriage and having affair with another woman, I am of the view that to investigate the case of its nature custodial interrogation is not necessary. Hence, I am inclined to grant anticipatory bail to the petitioner subject to certain 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 (15) days from



the date on which the order copy is made ready, before the **learned Judicial Magistrate-II, Tambaram**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (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 petitioner 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 petitioner shall report before the respondent Police everyday at 10.30 a.m., for a period of three weeks 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]***;



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

Consequently, the connected miscellaneous petition stands ordered.

11.02.2026

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To

1.The Judicial Magistrate-II,
Tambaram.

2.The Inspector of Police,
All Women Police Station (AWPS),
Selaiyur, Chengalpattu District.

3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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