
(2025) 12 MAD CK 1959

In the Madras High Court, Madurai Bench

Case No : Criminal Original Petition (MD) No. 22958 Of 2025

Surya @ Suryakumar And Others

APPELLANT

Vs

State Of Tamil Nadu

RESPONDENT

Date of Decision : 15-12-2025

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 115(2), 269, 296(b), 329(4), 351(2)
Tamil Nadu Prohibition Of Harassment Of Women Act, 1998 — Section 4

Citation : (2025) 12 MAD CK 1959

Hon'ble Judges : S.Srimathy, J

Bench : Single Bench

Advocate : R.Prasanna, S.S.Manoj

Final Decision : Allowed

Judgement

S.Srimathy, J

1. The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 296(b), 329(4), 115(2) and 351 (2) BNS r/w. Section 4 of Tamilnadu Prohibition of Harassment of Women Act, in Crime No.604 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is on 07.12.2025 due to previous dispute, the petitioners trespassed into her property and abused her in filthy language and assault her with stick and one Meenambal with hands and also gave life threat to them and ran away from the spot.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions which may be imposed by this Court. Now the matter has been compromised between them. The defacto complainant also made assault upon the petitioners' mother. But, the prosecution has not enquire the same.

Hence, he seek anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Sivagangai, Sivagangai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that

[a]the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioners shall report before the respondent police as and when required for the interrogation;

[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners is 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 BNS.