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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 21521 of 2026

1. S.Srinivasan
2. S.Vignesh

..Petitioners

Vs

The State Rep.by the Inspector of Police,
W-32, All Women Police Station,
Madipakkam, Chennai - 600 091.
Crime No.18 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners/1st and 2nd Accused on bail in Crime No.18 of 2026 pending investigation on the file of the respondent police.

For Petitioners: Mr.S.Elumalai

For Respondent: Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 18.07.2026 for the alleged offences under Sections 115(2) and 75(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Crime No.18 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the 2nd petitioner is the husband of the victim, and the 1st petitioner is her father-in-law. From the date of marriage, the 1st petitioner used to misbehave with her and also sexually harassed her. When the victim informed her husband and questioned this behaviour, he gave an evasive reply. Apart from that, on 16.07.2026, the 2nd petitioner went to the extent of assaulting her, causing her to sustain injuries to her nose. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and have been falsely implicated in this case. He would further submit that the petitioners have been in judicial custody since 18.07.2026 and are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for the grant of bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent, while opposing the grant of bail to the petitioners, reiterated the prosecution case and on instructions, submitted that the petitioners have no bad antecedents.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

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6. From the submissions of the learned counsel for both sides, this Court observes that the present complaint came to be registered in furtherance of matrimonial discord. In such view of the circumstances, considering the fact that no one sustained injuries, the period of incarceration undergone by the petitioners since 18.07.2026 and the absence of any criminal antecedents, this Court is inclined to enlarge the petitioners on bail, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only), with two sureties each for a like sum each to the satisfaction of the learned **Additional Mahila Judge, Alandur,** and subject to the following conditions:

> [a] 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 the identity proofs to ensure their identity;
>
> [b] the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;
>
> [c] the petitioners shall not abscond either during investigation or trial;
>
> [d] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

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[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];***

[f] if the petitioners thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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NSL

Note:

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

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

To

1. The Additional Mahila Judge, Alandur.

2. Central Jail, II Puzhal, Chennai.

3. The Inspector of Police, W-32, All Women Police Station, Madipakkam, Chennai - 600 091.

4. The Public Prosecutor, High Court of Madras.

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C.KUMARAPPAN, J.

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