



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2026

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THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.23236 of 2026

1. Vijayakumar

2. Santhakumar

..Petitioners

Vs

The State rep by the Inspector of Police
Pallavaram police station,
Tambatam District.
(Crime No.338 of 2026)

..Respondent

PRAYER: To enlarge the petitioners on bail pending investigation in connection with crime No.338 of 2026 on the file of respondent police and thus render justice.

For Petitioner(s): M/s. S.Thiyagarajan

For Respondent(s): Mr.M.M.I.Khaleel, Govt.Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 13.07.2026 for the alleged offences punishable under Sections 296(b), 126(2), 115(2), 118(1), and 351(3) of the Bharatiya Nyaya Sanhita, 2023, and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, in Crime No.338



of 2026 on the file of the respondent police, seek bail.

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2. The case of the prosecution is that due to an ongoing dispute, the petitioners assaulted the brother of the defacto complainant with dangerous weapons and caused injuries. When the said act was questioned by the defacto complainant and his mother, the petitioners herein wrongfully restrained them, abused them in filthy language, and criminally intimidated them with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are entirely innocent persons and they have been falsely implicated in this case due to prior animosity. He further submitted that the petitioners have been in continuous judicial custody since 13.07.2026, and since a substantial period of incarceration has been undergone, he prayed for the grant of bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police vehemently opposed the grant of bail to the petitioners. He submitted that the petitioners have committed a serious offence by assaulting the victim with weapons and harassing women publicly. He further submitted that the first petitioner is a habitual offender and a detention order dated 17.08.2026 has already been passed against him under the Goondas Act (Tamil Nadu Act 14 of 1982). Therefore, he strongly prayed for the dismissal of the



petition as against the first petitioner, and also opposed the bail for the second petitioner.

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5. Heard the learned counsel for the petitioners as well as the learned Government Advocate (Criminal Side) appearing for the respondent police, and carefully perused the entire materials available on record.

6. Insofar as the first petitioner is concerned: Considering the gravity of the offense, his past antecedents, and the fact that a detention order dated 17.08.2026 has already been passed against him under the Goondas Act, this Court is not inclined to grant bail to him. **Accordingly, the bail petition is dismissed as against the first petitioner.**

7. Insofar as the second petitioner is concerned: Considering the facts and circumstances of the case, the nature of the allegations, and the period of incarceration undergone by him, this Court is inclined to grant bail to the second petitioner.

8. Accordingly, the second petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Pallavaram, and on further conditions



that:

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[a] the sureties shall affix his 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 his identity;

[b] the second petitioner shall report before the respondent police on everyday at 10.30 a.m., until further orders, without fail.

[c] the second petitioner shall not abscond either during investigation or trial;

[d] the second petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the second petitioner in accordance with law as if the conditions had been imposed and the second petitioner 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 second petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

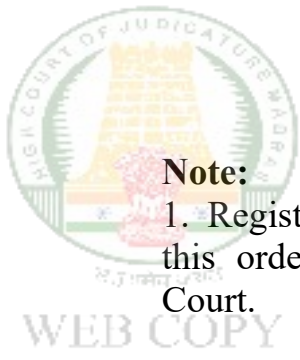
20.08.2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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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 Inspector of Police,
Pallavaram police station,
Tambatom District.

2. The District Munsif cum Judicial Magistrate, Pallavaram.

3. The Superintendent, Central Prison, Puzhal.

4. The Public Prosecutor, High Court of Madras.



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N.RAMESH, J.

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