



CRL OP(MD). No.13712 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.07.2026

PRESENT

THE HONOURABLE MR.JUSTICE K. RAJASEKAR

CRL OP(MD)No.13712 of 2026

1.Kottimuthu
2.Mahalakshmi
3.Midhren Adithya

... Petitioners / A1 to A3

Versus

The State of Tamil Nadu rep by
The Inspector of Police,
All Women Police Station,
Virudhunagar District.
(Crime No.29 of 2026)

... Respondent/Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to enlarge the petitioners on bail in the event of arrest in Crime No.29 of 2026 on the file of the respondent police, or on their appearance.

For Petitioners : Mr.G.Thalaimuthurasu
for Mr.B.Satheshkumar

For Respondent : Mr.J.Vishnu,
Government Advocate
(Criminal Side)



CRL OP(MD). No.13712 of 2026

ORDER : The Court made the following order :-

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The petitioners, who apprehend arrest in connection with Crime No.29 of 2026 on the file of the respondent police, registered for the offences punishable under Sections 64, 296(b), 115(2) and 74 of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, seek the relief of anticipatory bail.

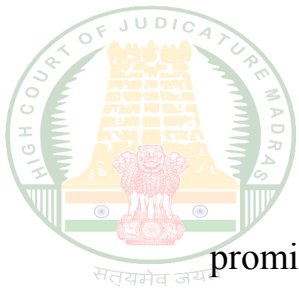
2. The case of the prosecution is that the first petitioner is an Advocate by profession. It is alleged that the defacto complainant had approached him seeking legal assistance. Taking advantage of his professional position and the confidence reposed in him by the defacto complainant, the first petitioner allegedly induced her to believe that he would marry her and thereafter lived with her for some time. During the said period, he is alleged to have subjected the defacto complainant to repeated acts of sexual and physical harassment. It is further alleged that, when the defacto complainant attempted to distance herself from the first petitioner, he prevented her from leaving, threatened her with dire consequences and continued to harass her. It is also alleged that the first



CRL OP(MD). No.13712 of 2026

petitioner sent abusive and threatening messages to the defacto complainant and lodged several complaints against her before her employer, thereby causing her severe mental agony, humiliation and harassment. Unable to bear the continued harassment, the defacto complainant lodged the present complaint. Since no immediate action was taken, she approached the higher authorities, pursuant to which the present FIR came to be registered on 01.07.2026. It is further alleged that the second and third petitioners joined hands with the first petitioner and assaulted the defacto complainant, causing her injuries. Apprehending arrest, the petitioners have filed the present petition seeking anticipatory bail.

3. The learned counsel for the petitioners submitted that the defacto complainant is in the habit of lodging complaints against various persons, including the first petitioner. He further submitted that the allegations made in the present complaint are substantially similar to those contained in an earlier complaint lodged before the authorities at Kallakurichi District and that the present complaint is a false and concocted one. It was also contended that there was no marriage or



CRL OP(MD). No.13712 of 2026

promise of marriage between the first petitioner and the defacto complainant and that they never lived together as alleged. The learned counsel submitted that the petitioners have been falsely implicated and that the first petitioner, being a practising Advocate, has been targeted only to prevent him from discharging his professional duties. It was further submitted that the petitioners are ready and willing to cooperate with the investigation. Hence, he prayed for the grant of anticipatory bail.

4. Per contra, the learned Government Advocate (Crl. Side), by producing the statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, submitted that the investigation is still in progress and that the FIR has been registered only recently. He further submitted that the investigation has disclosed WhatsApp conversations and other materials *prima facie* indicating that the first petitioner had continuously threatened and abused the defacto complainant. It was also submitted that there are materials to show that the first petitioner had sent several complaints and communications to the employer of the defacto complainant with an intention to harass her. Hence, the learned Government Advocate opposed the grant of anticipatory bail.

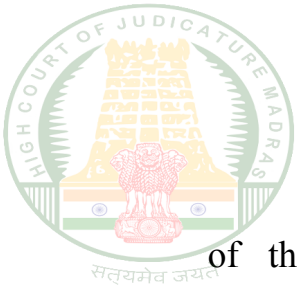


CRL OP(MD). No.13712 of 2026

5. This Court has carefully considered the rival submissions and perused the materials available on record including the statement recorded under Section 183 of the BNSS.

6. *Prima facie*, the materials disclose serious allegations against the first petitioner. The allegations are not confined merely to physical assault but also include sexual harassment, criminal intimidation and continuous harassment by abusing the professional relationship between an Advocate and his client. The materials further indicate that, even after the registration of the FIR, the first petitioner is alleged to have continued to threaten and intimidate the defacto complainant. In such circumstances, this Court is of the view that a thorough investigation is necessary and that grant of anticipatory bail to the first petitioner at this stage is likely to hamper the investigation. Accordingly, this Court is not inclined to grant anticipatory bail to the first petitioner.

7. Insofar as the second and third petitioners are concerned, the allegations against them are limited to their alleged participation in the physical assault on the defacto complainant. Having regard to the nature



CRL OP(MD). No.13712 of 2026

of the allegations attributed to them and the overall facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the second and third petitioners, subject to appropriate conditions.

8. Accordingly, the second and third petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Additional Mahila Court, Srivilliputhur, Virudhunagar District, on condition that the petitioners shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate concerned and on further conditions that:

(a) the second and third 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the second and third petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks, and thereafter as and when required for the interrogation;



CRL OP(MD). No.13712 of 2026

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(c) the second and third petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the second and third 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 petitioner in accordance with law as if the conditions have been imposed and the petitioners 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]***; and

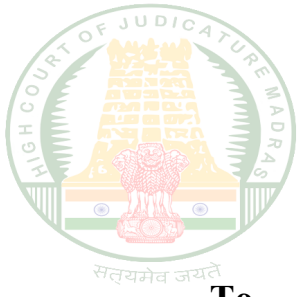
(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

9. Accordingly, this Criminal Original Petition is dismissed insofar as the first petitioner is concerned. Insofar as the second and third petitioners are concerned, the Criminal Original Petition is allowed, subject to the conditions stipulated hereinabove.

21.07.2026

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CRL OP(MD). No.13712 of 2026

To
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- 1.The Additional Mahila Court,
Srivilliputhur,
Virudhunagar District.
- 2.The Inspector of Police,
All Women Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.13712 of 2026

K. RAJASEKAR,J.

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ORDER
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