



CRL OP(MD). No.16323 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

RESERVED ON:13.08.2026

PRONOUNCED ON: 17.08.2026

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

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Rajappan

... Petitioner/
Accused No.1

Vs

The State of Tamilnadu,
represented by
The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.
Crime No.479/2026.

... Respondent/
Complainant

For Petitioner : Mr.A.Thiruvadi Kumar,
Advocate.
For Mr.S.Vishnuvardhan
Advocate

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

: Mr.N.MohideenBasha
for Intervenor



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PETITION FOR ANTICIPATORY BAIL Under Section 482

of B.N.S.S.

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PRAYER :-

For Anticipatory Bail in Crime No.479 of 2026 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 78, 281, 131 of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Woman (amendment) Act, 2002 in Crime No.479 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there existed matrimonial disputes between the defacto complainant and her husband and litigations are pending between them, that the defacto complainant's husband and his family members were directed to pay Rs.1,68,00,000/- as compensation to the defacto complainant and that the defacto complainant's father-in-law and others in order to avoid payment of

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the amount agreed, decided to eliminate her and in pursuance of the said decision, on 29.06.2026, while the defacto complainant was proceeding along with her child in a two wheeler, a silver Volks Wagon car bearing Registration No.TN-69-AU-0376 followed them and at about 01.59p.m., came dangerously closed to the two wheeler and attempted to dash against it, as a result of it, the defacto complainant and her child fell down and sustained injuries and on the basis of the complaint lodged, F.I.R., came to be registered in Cr.No.479 of 2026 under Sections 78, 281, 131 of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Woman (amendment) Act, 2002 against the defacto complainant's father-in-law and others.

3. The learned Counsel for the petitioner would submit that the entire allegations made in the F.I.R., are absolutely false and no such occurrence took place as alleged in the F.I.R., that though it was alleged that the occurrence was held on 29.06.2026 and 01.07.2026, the same has been reported



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to the respondent police only on 18.07.2026, that the delay of 17 days reveals that the complaint is after though with due deliberations, that the petitioner lodged a complaint and on that basis, F.I.R., came to be registered in Cr.No.10 of 2026 for the offence under Section 66(c) of the Information Technology (amendment) Act 2008 against the defacto complainant and others, that the petitioner has also filed a petition seeking transfer of investigation before this Court in W.P.Crl.(MD)No.3012 of 2026 and this Court directed the Investigating Officer to conclude the investigation within a period of one week and to file the final report before the concerned Court and that the defacto complainant after the said order, created a false complaint with due deliberations. It is the further case of the petitioner that he has not committed any offence as alleged and he has been falsely implicated in the above case and that the petitioner will not abscond or tamper the witnesses.

4. The learned Counsel for the



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intervenor/defacto complainant would reiterate the averments and the charges levelled in the F.I.R., and further submitted that the CCTV footage installed in the locality clearly captured the movement of the silver Volks Wagon car, that the footage reveals that the occupants had deliberately concealed the registration number plate with a sticker while approaching the petitioner's residence, thereby indicating a deliberate attempt to avoid identification, that the above incident occurred on 29.06.2026 and 01.07.2026 clearly establish a continuous pattern of intimidation and an imminent threat to the life and safety of the petitioner and her minor child, that the complainant has been living under constant fear and apprehension that the accused and their associates may execute their unlawful plan at any time, that the investigation is in the initial stage and granting of anticipatory bail at this stage would scuttle the investigation and that therefore, the above petition is liable to be dismissed.



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5. The Sub-Inspector of Police attached to the Thalaiyuthu Police Station filed a counter affidavit.

6. The learned Government Advocate (Crl.Side) would submit that the pendency of the matrimonial proceedings and in particular the direction for payment of Rs.1,68,00,000/- to the defacto complainant, is what is alleged by the prosecution to furnish the motive for the present occurrence and cannot by itself to be treated as demonstrating false implication, that the delay of 17 days between the alleged occurrence and the lodging of the complaint has been explained by the defacto complainant attributable to the mental distress and fear caused by the incidents and the time taken to ascertain the identity of the vehicle through CCTV footage before approaching the police, that the proceedings in Cr.No.10 of 2026 and the writ petition in W.P.Crl. (MD)No.3012 of 2026 are independent and unconnected with the present disputes, that the custodial interrogation is very much necessary to unearth the



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plan to eliminate the defacto complainant and her child and the way in which the incidents were occurred, that the petitioner/accused is a powerful and influential person and there is every likelihood to use his influence to tamper with evidence, influence witnesses and derail the investigation, that the investigation is at a crucial stage and the custodial interrogation is essential and that therefore, the petition for anticipatory bail is liable to be dismissed.

7. It is not in dispute that there existed matrimonial disputes between the defacto complainant and her husband and several litigations are pending between them. It is also not in dispute that the present petitioner/accused along with her wife and son filed criminal revision in Crl.R.C.(MD)No.365 of 2025 challenging the order passed by the Court of the Judicial Magistrate No.III, Tirunelveli directing further investigation in C.C.No.1183 of 2024 and this Court, vide order dated 30.04.2025 dismissed the



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revision and directed the Investigating Officer in Cr.No.2 of 2022, on the file of the All Women Police Station, Tirunelveli to proceed with further investigation and to file an additional / further report within a period of one month from the date of receipt of a copy of that order. Challenging the said order passed in the criminal revision, the petitioner and others preferred a Special Leave Petition in S.L.P.No.11331 of 2025 and the Hon'ble Supreme Court considering the dispute between the parties, referred the matter to mediation and in the mediation, both parties entered into an agreement wherein the husband party agreed to pay a sum of Rs.1,68,00,000/- as final settlement (Rs.1,23,00,000/- through Demand Draft in the name of the defacto complainant viz., Ms.Vinitha Kumari as permanent almony and Rs.45,00,000/- through Demand Draft in the name of their son Anshtith Kumar) along with other terms. It is further evident that since the petitioner's Counsel reported that the mediation could not proceed, the Hon'ble Supreme Court passed



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an order dated 27.02.2026 dismissing the Special
Leave Petition.

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8. It is the specific case of the defacto complainant that her husband and in-laws despite agreeing to pay Rs.1,68,00,000/-, having failed to pay any amount till now and only in order to avoid the payment of the said amount, they have decided to eliminate her and in pursuance of the said design, they have hired persons to eliminate the defacto complainant and her child.

9. The learned Government Advocate (Crl.Side) would submit that the allegations levelled against the present petitioner are serious in nature and that the investigation is at the preliminary stage.

10. No doubt, the allegations made in the complaint are serious. But at the same time, while considering the petition for anticipatory bail, this Court is required to examine the nature of the



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specific accusation levelled and the necessity for custodial interrogation. It is pertinent to note that the non-payment of the amount allegedly agreed to be paid in the mediation proceedings by itself, cannot be a ground either to grant or to refuse anticipatory bail.

11. Regarding the present petitioner - father-in-law of the defacto complainant is concerned, it is to be seen whether the prosecution has shown prima facie materials disclosing his participation in the occurrence or his involvement in the alleged conspiracy or common design to eliminate the defacto complainant and her son. Moreover, the existence of the matrimonial disputes and the relationship of the petitioner with the husband of the defacto complainant cannot dispense with the requirement of examining his specific role attributed to the petitioner.

12. Considering the nature of the offences



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alleged, the case putforth by the prosecution as well as by the defacto complainant and the fact that the investigation can be safeguarded by imposing appropriate conditions, this Court is of the view that the custodial interrogation of the petitioner, who is aged about 65 years is not shown to be necessary. But at the same time, considering the allegations of intimidation and the successive disputes between the parties, stringent conditions are to be imposed to ensure that the petitioner does not interfere with the investigation or contact the defacto complainant directly or indirectly.

13. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional Mahila Court, Tirunelveli, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the

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satisfaction of the learned Magistrate concerned and
on further conditions that:

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[a]the petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of thirty (30) days and thereafter, as and when required for interrogation;

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

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

[e] the petitioner shall co-operate for the investigation;

[f] the petitioner shall not either directly or indirectly threaten, intimidate the defacto complainant, her child or any of the witnesses;

[g] the petitioner shall not tamper with the



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evidence or otherwise interfere with the course of investigation;

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[h] the petitioner shall not leave India without prior permission of the jurisdictional Court;

[i] 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 petitioner 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]**;

[j] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS, 2023.

(K M S J)

17.08.2026

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TO

1. The Additional Mahila Court,
Tirunelveli.

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2. The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

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PRE-DELIVERY ORDER MADE IN
CRL OP (MD) . No.16323 of 2026

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