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Crl.O.P.No.270 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.270 of 2026

Palanisamy S/o.Perumal

... Petitioner/ Accused

Vs

The State Rep. By,
The Inspector of Police,
Thevoor Police Station,
Salem District.
(Crime No.313 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent in Crime No.313 of 2025 on the file of the respondent police.

For Petitioner : Mr. R.Jayaprakash

For Respondent : M/s. J.R. Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 75(3), 78(2), 296(b), 351(2) of the BNS, 2023, r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.313 of 2025 on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner continuously stalked the *de facto* complainant for which she raised her objections. Even thereafter, the petitioner continued the same. When the husband of the *defacto* complainant questioned about it, the petitioner herein had threatened him with dire consequences. Hence, the *defacto* complainant lodged a complaint before the respondent police.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and has not committed any offence as alleged and there is no previous case as against the petitioner; and that the petitioner is ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that as per the complaint, the petitioner continuously stalked the *defacto* complainant even after questioned by herself and threatened her husband also and that the investigation of this case is pending.



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5. Considering the submissions made, facts and circumstances of this case, nature of allegation, the fact that there is no previous case as against the petitioner herein, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Sankari** on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] **if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of copy of this order, this Order shall stand automatically cancelled;**

[b] 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



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of the identity proofs to ensure their identity;

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[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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K. RAJASEKAR, J.

ssa

To

1. The Judicial Magistrate No.I,
Sankari
2. The Inspector of Police,
Thevoor Police Station,
Salem District.
(Crime No.313 of 2025)
3. The Public Prosecutor,
High Court of Madras.

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