



WEB COPY

CRL OP No. 1275 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

**CORAM
THE HON'BLE MR.JUSTICE K.RAJASEKAR**

CRL OP No. 1275 of 2026

S Balamurugan

..Petitioner

Vs

State rep.by,
The Inspector of Police,
AWPS Redhills,
Cr.No.5 of 2026.

..Respondent

Prayer: Criminal Original Petition filed under section 482 of BNSS to grant an anticipatory bail to the petitioner in the event of his arrest in Cr.No.5 of 2026 pending investigation on the file of the respondent police.

For Petitioner: Mr.Dinesh Kumar

For Respondent: Ms.J.R.Archana
Government Advocate (Crl.Side)

For Intervenor: Mr.T.Muthukrishnan

ORDER

The petitioner, who apprehends arrest for the alleged offence under Section 296b of BNS r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.5 of 2026, on the file of the respondent police seek anticipatory bail.



2. The prosecution case alleged that the petitioner is the husband of the de facto complainant herein and earlier there was matrimonial dispute between the parties and it is alleged that the petitioner herein harassed the victim and also a case was also registered in Crime No.37 of 2025 on the file of the Redhills, All Women Police Station AWPS. After released on bail, the petitioner on 09.01.2026 at 9.30 p.m went to the house of the de facto complainant and also quarrelled, abused and threatened her with dire consequences and abused her . Hence, the case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner herein has went to the house of the victim for celebrating ensuing Pongal and he has not attacked or done any other activities and prayed for grant of anticipatory bail to the petitioner.

4. The learned counsel for the Intervenor submitted that there is photographs taken at the time of occurrence. The petitioner has come to the place of the de facto complainant with knife and threatened her with dire consequences. If the petitioner has granted anticipatory bail, he will indulge in the similar offence and opposed to grant anticipatory bail.



5. The learned Government Advocate (Crl.Side) reiterated the case of the prosecution and submitted that investigation in this case is pending and hence opposed to grant anticipatory bail to the petitioner.

6. I have gone through the FIR and connected materials and it reveals that after registering the previous case, the petitioner was arrested and after released on bail, went to the house of the de facto complainant and threatened her with dire consequences. Considering the nature of offence and the allegation levelled against the petitioner, I am of the view that custodial interrogation is not necessary for investigation and I am inclined to grant anticipatory bail to the petitioner subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned ***Judicial Magistrate Court-II, Ponneri*** on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties** for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioner fail to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a 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 of identify proofs to ensure their identity;

(c) The petitioner shall stay in Thiruvallur and appear before the Manavalan Nagar Police Station everyday evening at 7.00 p.m until further orders;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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K.RAJASEKAR, J.

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To

1. The Judicial Magistrate Court-II,
Ponneri

2. The Inspector of Police,
AWPS Redhills,

3. The Public Prosecutor
High Court of Madras

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