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CrI.M.P.No..2597 of 2026 in H.C.P.No.2714 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 24 / 02 / 2026

PRONOUNCED ON : / 02 / 2026

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CrI.M.P.No.2597 of 2026 in
H.C.P.No.2714 of 2025

- 1.The Additional Chief Secretary,
Home, Prohibition and Excise Department,
Secretariat, Chennai.
 - 2.The Commissioner of Police,
Greater Chennai City Police,
Office of the Commissioner of Police,
Vepery, Chennai.
 - 3.The Superintendent of Prisons,
Central Prison, Puzhal-II,
Chennai.
 - 4.The Inspector of Police,
R4, Soundarapandiyanar Angadi Police Station,
Chennai.
(Crime No.280 of 2025) ... Petitioners
- Vs.
- 1.Neelima
 - 2.Varaaki ... Respondents



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Prayer: Criminal Miscellaneous Petition is filed to cancel the interim bail granted to respondent / petitioner's husband Varaaki / second respondent / detenu in H.C.P.No.2714 of 2025, dated 30.12.2025 passed by this Court and direct the second respondent/Varaaki to surrender to the Superintendent of Prison, Central Prison, Puzhal, Chennai.

For Petitioners : Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted by Mr.M.Sylvester John
Advocate

For Respondents : Mr.Arun Anbumani
For Mr.P.Rajkumar

ORDER

P.VELMURUGAN, J.

This Criminal Miscellaneous Petition has been filed seeking cancellation of the interim bail granted to the second respondent by this Court by order dated 30.12.2025 in H.C.P.No.2714 of 2025.



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2.The Habeas Corpus Petition in H.C.P.No.2714 of 2025 was filed by

the first respondent challenging the detention order passed against the second respondent under the provisions of Act 14 of 1982. When the matter came up for admission, this Court, after hearing the learned counsel appearing on either side and on perusal of the materials placed on record, granted interim bail to the second respondent for a period of twelve weeks, subject to the following conditions:

"(i) The petitioner's husband/detenu shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) before the Superintendent of Prison;

(ii) On execution of such bond, the detenu namely, Mr.Varaki shall be released on interim bail forthwith;

(iii) The petitioner's husband/detenu shall not leave the country without the permission of the concerned jurisdictional Magistrate Court;

(iv) The petitioner's husband/detenu shall not interact with any of the witnesses or make any attempt to hamper or tamper the witnesses involved in the criminal cases;

(v) The petitioner's husband shall inform his place and address of residence with the Investigation Officer and cooperate for investigation;

(vi) A copy of the order be sent to the Superintendent of Prison, Puzhal-II, Chennai for information and necessary compliance to release the detenu forthwith;

(vii) The grant of interim bail will not be treated as an expression of opinion on the merits of the criminal cases;"



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3. The present petition has been filed by the petitioners contending that the second respondent/detenu has violated Condition No.(iv) imposed by this Court vide order dated 30.12.2025 while granting the interim bail.

4. The learned Additional Public Prosecutor appearing for the petitioners would submit that the case of the prosecution is that, after obtaining interim bail, the second respondent had threatened the defacto complainant and thereby violated the conditions imposed by this Court. According to the prosecution, on 20.01.2026 at about 2.15 p.m., the second respondent allegedly intercepted the defacto complainant near Venkatraman Street, Lodikhan 4th Street Junction, T. Nagar, threatened him to withdraw the complaints filed against him, abused him in filthy language, and also threatened that he was in possession of certain obscene and defamatory photographs of the complainant's family members and that the same would be circulated in public if the complaints were not withdrawn. Based on the said incident, a case has been registered in Crime No.18 of 2026 dated 20.01.2026 by R4 Soundarapandiyanar Angadi Police Station for the offences under Sections 126(2), 296(b) and 351(2) of BNS and Section 67A of the Information Technology Act.



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5. Per contra, the learned counsel appearing for the respondents, referring to the counter affidavit filed by the second respondent, would submit that the present petition itself has been filed only on the basis of the FIR without placing any independent material to show that the second respondent had violated the condition imposed by this Court.

6. The learned counsel would further submit that the alleged occurrence is said to have taken place in a busy locality at T. Nagar, which is surrounded by several commercial establishments and public roads, where CCTV cameras are installed in many places. However, the petitioners have not produced any CCTV footage or any independent evidence to establish that the second respondent was present at the alleged place of occurrence at the relevant point of time.

7. It is also contended by the learned counsel that the allegation made in the complaint is false and motivated, and the second respondent has been unnecessarily implicated in order to seek cancellation of the interim bail granted by this Court.



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8. The learned counsel further submitted that the second respondent was not present at the alleged place of occurrence at the relevant point of time. According to the second respondent, he was present at Egmore, where he had purchased certain mobile accessories and made payment through online transaction, and the relevant records have been produced. Hence, the learned counsel appearing for the respondents prays to dismiss the petition.

9. This Court has carefully considered the submissions made by the learned counsel appearing on either side and perused the materials placed on record.

10. The sole ground raised in the present petition for cancellation of interim bail is that the second respondent has violated Condition No.(iv) imposed by this Court while granting interim bail by order dated 30.12.2025.

11. It is to be noted that the case in Crime No.18 of 2026 registered against the second respondent is still under investigation and the investigation is at a preliminary stage. Except the copy of the FIR, no other material has been placed before this Court to *prima facie* establish that the



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second respondent had threatened the defacto complainant or interfered with the witnesses. The petitioners have also not produced any material such as CCTV footage, mobile tower location records or any other independent evidence at the time of filing petition for cancellation of interim bail granted by this Court to show that the second respondent was present at the alleged place of occurrence at the relevant point of time. The contention raised by the second respondent that he was present at Egmore at the relevant point of time is a plea of *alibi*, which has to be examined during the course of investigation and trial. It is also to be noted that the registration of the FIR alone cannot be a ground for cancellation of the interim bail granted by this Court, particularly when no *prima facie* material has been produced to establish violation of the condition imposed by this Court. Without expressing any opinion on the merits of the allegations made in Crime No.18 of 2026, this Court is of the view that the allegations against the second respondent have to be proved in the manner known to law during investigation and ultimately during trial. Therefore, at this stage, this Court finds that no *prima facie* material has been produced to establish that the second respondent has violated the condition imposed by this Court while granting interim bail.



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12. However, since the case in Crime No.18 of 2026 is under investigation, the second respondent shall fully cooperate with the investigation and shall not tamper with the witnesses or interfere with the investigation in any manner. Considering the fact that the second respondent is a YouTuber and active on social media platforms, he shall not take advantage of his position to influence the investigation by using social media. The second respondent shall not express any opinion or discuss the pending criminal cases on social media. The second respondent is also directed not to make any personal attacks against the Investigating Officer or the defacto complainant in any social media platform, as such conduct may affect the ongoing investigation.

13. In view of the above, this Court does not find any *prima facie* violation of the conditions imposed by this Court while granting interim bail. However, this observation and finding will not affect the merit of the case in Crime No.18 of 2026 for further investigation and trial.



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14. Accordingly, this Criminal Miscellaneous Petition is dismissed.

15. List the H.C.P for hearing after four weeks.

[P.V.J.] [M.J.R.J.,]
/ 02 / 2026

Speaking Order
Neutral Citation case: Yes
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- 2.The Commissioner of Police,
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(Crime No.280 of 2025)
5. The Public Prosecutor, High Court of Madras.



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