



WEB COPY

CRL OP No. 5836 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5836 of 2026

Tamilarasu

S/o. Thambu Raj,

No. 13/37 B, Muthalamman Colony,

Thondamuthur, Coimbatore- 641 109.

..Petitioner(s)

Vs

The State rep by

The Inspector of Police

Periyanaickempalayam AWPS,

Coimbatore District.

(Crime No. 34 of 2025)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the Petitioner/ Accused A4 on Bail in the event of arrest in connection with the F.I.R. in Crime No. 34 of 2025, on the file of the Respondent police and thus render justice.

For Petitioner(s):

Mr.Dhayalan M

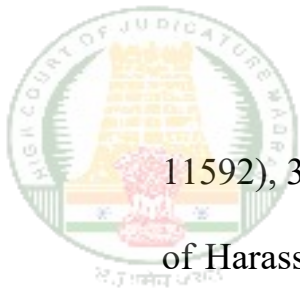
For Respondent(s):

Mr.P.Dhileepan

Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 296(b), 115(2), 324(4), 85 of BNS r/w. Section 4 of the Tamil Prohibition of Harassment of Women Act, 2002 and subsequently altered into Section 296(b),



11592), 324(4)(5), 85, 108 of BNS r/w. Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.34 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1, being the petitioner's elder brother, had married the defacto complainant in the year 2007 and had two children. A1 habituated to consume alcohol and picking up quarrels with the defacto complainant, thereby ill treating and abusing her by questioning her character, as a result of the same, on 12.10.2025, the defacto complainant, in a state of severe mental distress and depression, attempted to commit suicide by pouring petrol on her body and setting herself fire, thereby sustained burn injuries and unfortunately died at the hospital on 23.10.2025. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner was neither aware of the matrimonial issues and problems between his brother and the defacto complainant and he solely acted as a family member attempting to restore peace and harmony within the family and between spouses and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that this is the fourth anticipatory bail petition filed by the petitioner and that the investigation is completed.



5. According to the prosecution due to harassment meted out by the defacto complainant she immolated herself on 12.10.2015 and succumbed to injury on 23.10.2015. At this juncture, learned counsel for the petitioner brought attention of this Court that other accused were released on bail in Crl O.P. No.33099 of 2015 dated 03.12.2015. The learned counsel for the petitioner would submit that after completion of the investigation police has also filed charge sheet which factum was not seriously disputed by the Government Advocate. However, the learned Government Advocate would submit that though investigation is completed, charge sheet is yet to be file.

6. In view of the above factual position, at this length of time no custodial interrogation of the petitioner would require. Hence the petitioner is enlarged on bail, 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 is made ready, before the **learned Additional Mahila Court, Coimbatore**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned



learned 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 report before the respondent police morning at 10.30 a.m., for a period of two weeks and as and when required;

(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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

12-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MTL

To



1. The Inspector of Police
Periyanaickempalayam AWPS,
Coimbatore District.

2. The Additional Mahila Court, Coimbatore.

3. The Public Prosecutor, High Court, Madras.

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C.KUMARAPPAN, J.

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