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CRL OP No. 4163 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 4163 of 2026

Magesh Kanna

..Petitioner(s)

Vs

The State of Tamilnadu Rep. By
The Inspector of Police,
All Women Police Station, Pattabiram,
Avadi, Chennai.
(Crime No. 4/2026)

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, Act, 2023 to enlarge the petitioner on anticipatory
bail in the event of their arrest or surrender before concerned court in Crime
No.4 of 2026 on the file of the respondent police.

For Petitioner(s): Ms.V.Karthigaipriya

For Respondent(s): Mr.P.Dhileepan,
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Section 4
of TNPHW Act and Sections 351(3), 82(1), 85 of BNS, in Crime No.4 of 2026
on the file of the respondent police seek anticipatory bail.

2. The issue in the present case is in respect of a matrimonial discord
between the petitioner and the de facto complainant. The allegation against the

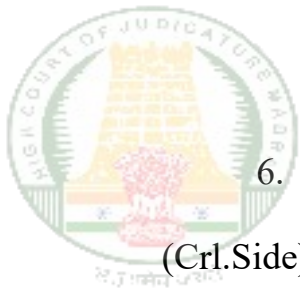


petitioner is that he had stolen the gold jewels of the de facto complainant and had also threatened her to post obscene photos on social media. Hence, the present complaint.

3. The learned counsel for the petitioner submitted that the entire issue surfaced due to a matrimonial dispute between the petitioner and the de facto complainant. She further submits that the petitioner has been regularly co-operating with the investigation. She further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and the petitioner is ready to co-operate for investigation. Hence, she prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police while opposing grant of anticipatory bail to the petitioner submits that the petitioner threatened the de facto complainant to post obscene photos of the de facto complainant on social media. He further submits that the petitioner obtained interim protection vide order dated 19.02.2026 in Crl.O.P.No.4163 of 2026.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.



6. From the submission made by the learned Government Advocate (Crl.Side) it is seen that the petitioner has been co-operating with the investigation. Considering the above submissions and considering the fact that the occurrence took place on 03.02.2026, at this length of time no custodial interrogation is required and hence, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.

7. 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 (15) days from the date on which the order copy made ready, before **the learned Judicial Magistrate Court No.II, Tiruvallur**, 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 satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails 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;



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CRL OP No. 4163 of 2026



C.KUMARAPPAN, J.

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(c) The petitioner shall sign before the respondent police twice a day at 10.30 a.m., and 5.30 p.m., for a period of four weeks and thereafter, as and when required for interrogation;

(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.

17-03-2026

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To

1. The Inspector of Police,
All Women Police Station, Pattabiram,
Avadi, Chennai.

2. The Judicial Magistrate Court No.II, Tiruvallur.

3. The Public Prosecutor,
High Court, Madras.

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