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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.4929 of 2026

R. Elumalai
S/o Rama Gounder

... Petitioner

-VS-

The State Rep. by the Inspector of Police,
AWPS Polur Police Station,
Thiruvannamalai District.

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to
enlarge the petitioner on bail in Crime No.4 of 2026 on the file of the the
Inspector of Police, AWPS Polur Police Station, Thiruvannamalai District.

For Petitioner : Mr.S. B. Viswanathan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
14.02.2026 for the alleged offences punishable under Sections 296(b),
115(2),74,75 and 351(2) of BNS, Act in Crime No.4 of 2026, registered on the
file of the respondent police, seeks bail.



2. The allegation against the petitioner is that the petitioner is the father-in-law of the defacto complainant. It is alleged that the petitioner misbehaved with the defacto complainant and attempted to have sexual intercourse with her and further, he threatened her with dire consequences. Hence, the case has been registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case for statistical purpose and the petitioner is in judicial custody from 14.02.2026. He further submitted that this Court has already granted anticipatory bail to the mother-in-law of the petitioner in CrI.O.P.No.4417 of 2026 on 23.02.2026 and the petitioner is ready to co-operate with the investigation and abide by any other stringent conditions that may be imposed by this Court . Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is arrayed as A1 and he misbehaved with the petitioner who is her own daughter-in-law. Hence, he opposed to grant bail to the petitioner.



5. Considering the above facts and circumstances of the case; this Court has already granted bail to the co-accused in CrI.O.P.No.4417 of 2026 on 23.02.2026 and considering the period of incarceration of the petitioner from 14.02.2026, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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 **Judicial Magistrate Court, Polur** , and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] 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.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence



or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

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

27.02.2026

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



To



1. The Judicial Magistrate Court, Polur

2. The Inspector of Police,
AWPS Polur Police Station,
Thiruvannamalai District.

3. The Superintendent,
Central Prison, Vellore

4. The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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