



WEB COPY

CRL OP No. 5657 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5657 of 2026

Thalapathi

..Petitioner(s)

Vs

The State Rep. by
The Inspector of Police,
J-3, Guindy Police Station,
Chennai.
Crime No.35 of 2026.

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail concerned in Crime No.35 of 2026 on the file of the Respondent Police.

For Petitioner(s):

Mr.R.Parthiban

For Respondent(s):

Mr.S.Vinoth Kumar

Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.02.2026 for the alleged offence under Section 296 (b), 351 (2), 75 (1) (i) of BNS Act r/w 4 of TN Prohibition of Harassment of Women Act, (294, 506, 354 (A) of I.P.C), in Crime No.35 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that, in a wordy quarrel, the petitioner threatened the defacto-complainant using filthy language. Hence the case.

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3. From the submissions of the learned counsel for the petitioner, it is seen that the petitioner has got acquaintance with the defacto-complainant and in furtherance of the wordy quarrel, the defacto-complainant has given this complaint. He would further submit that there is no previous case against him.

4. The factum of absence of previous case was not seriously disputed by the learned Government Advocate (Criminal Side).

5. Considering the peculiar circumstances of this case, the acquaintance between the petitioner and the defacto-complainant in the past and also taking into consideration the long incarceration of petitioner since 08.02.2026, and on account of absence of previous case, this Court is inclined to grant bail to the petitioner with 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) each, with two sureties each for a like sum to the satisfaction of the learned **IX Metropolitan Magistrate, Saidapet**, and subject to the following conditions:



[a] 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 the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent Police daily morning at 10.30 a.m. and evening at 5.30 p.m for a period of two weeks; 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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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C.KUMARAPPAN, J.

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To

1.IX Metropolitan Magistrate, Saidapet.

2.Central Prison, Puzhal.

3.The Inspector of Police,
J-3, Guindy Police Station,
Chennai.

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