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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 10-03-2026**

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**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**Crl.OP No. 6079 of 2026**

E.Ajith

..Petitioner(s)

Vs

The State of T.N.Rep. by  
The Inspector of Police,  
Kanakammachatram Police Station.  
Crime No.48 of 2026

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail for the alleged Crime No.48 of 2026 on the file of respondent police.

For Petitioner(s): Mr.D.Babu Varadharajan

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

### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 16.02.2026 for the alleged offences under Sections 296(b), 115(2), 132, 351(3), 239, 74 of BNS, 2023 r/w. Section 4 of TNPHW Act, 2002 and Section 3 of Tamil Nadu Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage or Loss to Property) Act, 2008, in Crime No.48 of 2026 on the file of the respondent police, seeks bail.



2.The case of the prosecution is that there was a wordy quarrel between the de facto complainant and the petitioner, during which the accused allegedly outraged the modesty of the de facto complainant and deterred her from doing her official duty. Hence, the present case.

3. The learned counsel for the petitioner would submit that a false case has been foisted against the petitioner and he has not committed any offence as alleged by the prosecution and he is in judicial custody from 16.02.2026. He further submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and hence, he prays to grant bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there is a previous case against the petitioner. He fairly submitted that the injury sustained by the de facto complainant is simple in nature. Hence, he vehemently opposed to grant bail to the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

6.From the submissions made by the learned Government Advocate



(Crl.Side), it is seen that the incident had occurred in furtherance of the treatment given by the de facto complainant. It appears from the First Information Report that, when the de facto complainant was in the process of giving treatment to the injured, this petitioner has assaulted and also outraged the modesty of the de facto complainant. It is pertinent to note that, the petitioner has been under incarceration since 16.02.2026. At this point of time, the investigation might have been completed and therefore, custodial interrogation of the petitioner is not required. Though the learned Government Advocate (Crl.Side) contended, by referring to the antecedents of the accused, that is in respect of a matrimonial dispute between the petitioner and his wife. Hence, the said pendency cannot be treated as an aggravating circumstance to deny the relief in the present bail application. Therefore, this Court is inclined to enlarge the petitioner on bail, subject to certain stringent conditions.

7. 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, Tiruttani, Tiruvallur District** 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 at 10:30 a.m. and 5.30 pm., for a period of six 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 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.

**10-03-2026**

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To

1. The Judicial Magistrate, Tiruttani, Tiruvallur District.

2. The Inspector of Police,  
Kanakammachatram Police Station.

3. The Superintendent of Prison, Puzhal,  
Chennai – 600 066.

4. The Public Prosecutor,  
High Court, Madras.



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**C.KUMARAPPAN, J.**

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