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CRL OP No. 6166 of 2



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. 6166 of 2026

Santhosh

..Petitioner(s)

Vs

State by
Inspector of Police,
E-1, Ponneri Police Station,
Tiruvallur District.
Crime No.47 of 2025

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.47 of 2025 pending investigation on the file of the respondent police.

For Petitioner(s): Ms. Prabhavathy Ramachandran

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 126(2), 329(4), 115(2), 351(2) r/w. Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No.552 of 2025, seeks anticipatory bail.

2. It is the case of the prosecution that due to previous enmity, the petitioner trespassed into the house of the de facto complainant and assaulted her son. Hence, the present complaint has been lodged.



3. The learned counsel for the petitioner submits that since the mother of the petitioner gave a complaint against the son of the defacto complainant, the present complaint has been given by the de facto complainant. He further submits that the petitioner has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner and the de facto complainant's son are friends and since there was a difference of opinion between them, the above incident was said to have taken place.

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 taken place on 28.01.2025 and immediately thereafter, the First Information Report has been filed on 06.02.2025. At this length of time, custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

6. 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 **Judicial Magistrate No.1,**

Ponneri 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 fail 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, everyday at 10.30 a.m. and 5.30 pm., for a period of two 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];***



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C.KUMARAPPAN, J.

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

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To

1. The Judicial Magistrate No.1, Ponneri

2. The Inspector of Police,
E-1, Ponneri Police Station,
Tiruvallur District.

3. The Public Prosecutor,
High Court, Madras.

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