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Crl.O.P.No.6584 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2026

CORAM

**THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

Crl.O.P.No.6584 of 2026

P.Ponnan

... Petitioner

Vs.

State rep. by its  
The Inspector of Police,  
Madhuravoyal Police Station,  
Chennai.  
(Crime No.65 of 2026)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Crime No.65 of 2026 on the file of the respondent police.

|                |   |                                                   |
|----------------|---|---------------------------------------------------|
| For Petitioner | : | Mr.M.Muthuraj                                     |
| For Respondent | : | Mr.P.Dhileepan<br>Government Advocate (Crl. Side) |

### **ORDER**

The petitioner, who apprehends arrest for the alleged offence **under Sections 296(b), 118(1) and 351(3) of The Bharatiya Nyaya Sanhita (BNS), 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002** in **Crime No.65 of 2026**, on the file of the respondent police seeks anticipatory bail.



2. The allegation against the petitioner is that due to previous enmity the petitioner attacked the defacto complainant and his aunt with aruval and abused them in filthy language and also threatened them with dire consequences. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any such offence as alleged by the defacto complainant and he has been falsely implicated in this case and that A1 and A2 were already been released on bail by the learned Judicial Magistrate No.II, Poonamallee. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate with the investigation. 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 would strongly oppose the anticipatory bail application of the petitioner on the ground that there is no change in circumstances after dismissal of the earlier ab application.

5. Heard the submissions made by the learned counsel on either side



and also perused the materials available on record.

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6. Since the occurrence took place on 17.02.2026 and that the co-accused have already been enlarged on bail the prayer sought for by the petitioner for anticipatory bail may be considered positively as he was not initially named in the First Information Report and only subsequently implicated as an accused in pursuance of the confession of the other accused. Hence, this Court is inclined to enlarge him on anticipatory bail, 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 No.II, Poonamallee**, 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 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



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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 sign before the respondent police daily at 10.30 a.m., and 5.30 p.m., for a period of one week 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.

13.03.2026

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To:

1.The Judicial Magistrate,  
Poonamallee.

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2.The Inspector of Police,  
Madhuravoyal Police Station,  
Chennai.

3.The Public Prosecutor,  
High Court of Madras.

**C.KUMARAPPAN,J.,**

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