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CRL OP No. 6992 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6992 of 2026

and

CRL MP No. 5644 of 2026

Arunachalam @ Arunchalam

..Petitioner

Vs

State rep.by,
Inspector of Police,
Madipakkam Police Station,
Chennai District.
Cr.No.1131 of 2025.

..Respondent

Prayer: Criminal Original Petition filed under section 482 of BNSS to enlarge the petitioner on bail in the event of arrest in the hands of Respondent in Cr.No. 1131 of 2025 pending investigation on the file of the Respondent Police

For Petitioner:

Mr.A.Saranraj

For Respondent:

Mr.P.Dhileepan
Government Advocate (Crl.Side)

For Intervenor:

Mr.T.Amarnath Shakthi

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 308(2), 351(2) of BNS and under section 4 of Tamil Nadu Prohibition of



Harassment of Women Act 2022 in Crime No.1131 of 2025 on the file of the respondent police seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner being the brother-in-law of the de facto complainant, came into the house of the de facto complainant demanded her signature in certain property documents, abused her in filthy language, threatened her with dire consequences and also took away cash and gold jewels. Hence, the complaint.

3. The learned counsel for the petitioner submitted that entire issue is in furtherance of a land dispute. It is the further submission of the learned counsel for the petitioner that he is the brother-in-law of the de facto complainant and since there was a land dispute between the petitioner and the de facto complainant, the de facto complainant has given a false complaint as if the petitioner has stolen Rs.82,300/- cash and 18.5 sovereigns of gold on 03.11.2025 and FIR was registered on 05.11.2025. Therefore, he prays for grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent strongly opposed the bail application on the ground that the petitioner has robbed from the lonely lady. If the petitioner is enlarged on bail, the de facto complainant may live under a threat. Hence, he opposed to grant



anticipatory bail to the petitioner.

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5. The learned counsel for the Intervenor submitted that investigation is still pending and that the petitioner is not co-operating even after issuance of summons. Hence, he opposed the grant of anticipatory bail to the petitioner.

6. I have given anxious consideration to the submissions made by the learned counsel on either side.

7. Considering the facts and circumstances of the case, it is seen that the investigation is still in progress and that summons has already been issued and it is further submitted that the petitioner is co-operating for investigation. The occurrence took place on 03.11.2025 and FIR was registered on 05.11.2025. Therefore, this Court is of a firm view that at this stage, custodial interrogation of the petitioner is not required. Further since the petitioner is a senior citizen aged about 65 years, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to the condition that the petitioner shall cooperate with the investigation and comply with other usual conditions.

8. 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 **learned Judicial Magistrate**



Court No.II, Alandur, 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 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., for a period of thirty days 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.

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To:

1. The Judicial Magistrate Court No.II,
Alandur

2. The Inspector of Police,
Madipakkam Police Station,
Chennai District.

3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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