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Crl.O.P.No.8065 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.8065 of 2026

Thulukkanam E,
S/o.Ekambarareddy

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Gummidipoondi Police Station,
Thiruvallur District.
Cr.No.45/2026.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to grant anticipatory bail to petitioner in the event of his arrest or on his appearance before any Court in connection with the case in crime No.45/2026 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Malar Mannan
For Respondent : Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 351(2) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.45 of 2026, on the file of the respondent Police, seeks anticipatory bail.



2. According to the prosecution, the petitioner is the father-in-law of the de-facto complainant. The prosecution of the case is that the de-facto complainant's husband suffering from cancer, taking advantage of her vulnerable condition, and her dependence on him. Being her father-in-law, he allegedly misbehaved with her and committed a sexual assault on her. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioner is innocent person and he has been falsely implicated in this case. He further submitted that the petitioner was only taking care of his son and the entire dispute revolves around the property issue and only to grab the property from the petitioner, the present complaint has been given. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed 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 entire issue arises out of a family dispute. He fairly submits that the co-accused were granted anticipatory bail by this Court on 27.02.2026 in Crl.O.P.No.4892 of 2026. However, he opposed to grant anticipatory bail to the petitioner.



5. Considering the totality of the circumstances and on the fact that the co-accused were already granted anticipatory bail by this Court, and also considering the age of the petitioner, this Court is of the view that, at this length of time, the custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, 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 **learned District Munsif Cum Judicial Magistrate, Gummidipoondi**, 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;



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(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 15 days;

(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.

01.04.2026

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To

- 1.The District Munsif cum Judicial Magistrate, Gummidipoondi.
- 2.The Inspector of Police, Gummidipoondi Police Station, Thiruvallur District.
- 3.The Public Prosecutor, High Court of Madras.

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