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CRL OP No. 13154 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

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THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13154 of 2026

R. Arivalagan

..Petitioner(s)

Vs

State of Tamil Nadu Rep. by the Inspector of
Police
Maruvathur Police Station,
Perambalur District.
(Crime No.68 of 2026)

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail to
the petitioners / Accused in the event of his arrest in Crime No.68 of 2026 on
the file of the Respondent police and pass such further or other orders as this
Honourable Court may deem fit and proper in the circumstances of the case and
thus render justice.

For Petitioner(s): Mr.B. Balamurugan

For Respondent(s): Mr.S.Balaji, Government Advocate (Criminal Side)



ORDER

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This Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.

2.The petitioner / Accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 115(2), 74, and 351(3) of the Bharatiya Nyaya Sanhita, 2023, in Crime No. 68 of 2026 on the file of the respondent police.

3.The case of the prosecution is that there is an ongoing matrimonial dispute between the petitioner and the defacto-complainant. The defacto-complainant has filed a divorce petition before the Hon'ble Family Court at Perambalur in O.P. No. 240 of 2025. Following this, a complaint dated 26.04.2026 was registered alleging that the petitioner used filthy language and physically attacked the defacto-complainant with his hands. Hence, the case.

4.The learned counsel appearing for the petitioner submitted that the complaint is a clear abuse of the process of law and court arising purely out of a matrimonial dispute. He would further submit that the petitioner has no negative antecedents of any nature and no previous case is pending against him. He added that the petitioner is prepared to furnish necessary sureties and abide by



any conditions imposed by this Court. Therefore, he prayed to grant an order of pre-arrest bail to the petitioner.

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5.The learned Government Advocate (Criminal Side) appearing for the respondent opposed the grant of anticipatory bail to the petitioner considering the nature of the allegations involving physical assault and outrage of modesty.

6.Heard on both sides. This Court has perused the records.

7.The case of the prosecution is that the petitioner abused his wife with filthy language and physically assaulted her due to matrimonial discord. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, the dispute is matrimonial in nature, and no previous case is pending against the petitioner.

8.Considering the above facts and circumstances of the case, the nature of the offence alleged to have been committed by the petitioner, and also considering the fact that no previous case is pending against the petitioner, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i)The petitioner shall be released on bail in the event of arrest or in the



event of surrender before the learned Additional Mahila Court, Perambalur within a period of 15 days from today, on executing a bond for a sum of Rs. 10,000/- (Rupees Ten Thousand only) along with two sureties for a like sum of Rs. 10,000/- to the satisfaction of the learned Additional Mahila Court, Perambalur;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No. 46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judge shall obtain a copy of any one of the identity proofs to ensure their identity;

(iii) The petitioner shall appear and sign before the respondent police, daily at 10.00 a.m. until further orders;

(iv) The petitioner shall make himself available for interrogation by police as and when required;

(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

(vi) On breach of any of the aforementioned conditions, the learned



Additional Mahila Court/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K. Shaji Vs. State of Kerala [(2005) 13 SCC 283].

9. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

21-05-2026

Index : Yes/No
Internet : Yes/No
Neutral citation : Yes/No

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Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.**

To

1. The Additional Mahila Court,
Perambalur.

2. The Inspector of Police
Maruvathur Police Station,
Perambalur District.

3. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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