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Crl.O.P.No.13284 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2026

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THE HON'BLE MR. JUSTICE R.SAKTHIVEL

Crl.O.P.No.13284 of 2026

N.Ananth
S/o.Natarajan

... Petitioner/Accused

Vs.

The State represented by
The Inspector of Police,
Avadi All Women Police Station,
Avadi District, Chennai-600 054.
(Crime No.11 of 2026)

...Respondent/Complainant

PRAYER:- Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.11 of 2026 on the file of the respondent police.

For Petitioner : Mr.R.Prabhakaran
Advocate

For Respondent : Mr.A.Gopinath
Government Advocate (Criminal Side)

For Intervenor : Ms.K.A.Abinaya Janshi
Advocate



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ORDER : The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 19.05.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 294(b), 323, 498A and 506(ii) of IPC, 1860 and now as per the Bharatiya Nyaya Sanhita, 2023 Sections 85, 296(b), 115(2) and 351(2) of BNS, 2023 in Crime No.11 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner has been harassing the *de facto* complainant and abusing her with obscene words. Further, the petitioner has also intimidated her with dire consequences. Hence, the case.

4. Mr.R.Prabhakaran, the learned counsel for the petitioner, submits that the *de facto* complainant was married to the petitioner on 31.08.2007 and out of the said wedlock, they have two children namely, a son aged 17 years and a daughter aged 13 years. After some time, the *de facto* complainant developed suspicion that her husband was having an illegal



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relationship with another woman. Owing to which, she continuously lodged complaints against the petitioner, which were subsequently closed by the police as false. Therefore, the petitioner filed H.M.O.P.No.281 of 2026 before the Sub Court, Poonamallee, for dissolution of marriage which is pending. Further, the *de facto* complainant is staying in her parent's house and the children are with the father/petitioner. The petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. *Per contra*, Ms.K.A.Abinaya Janshi, learned counsel for the intervenor, submits that if pre-arrest bail is granted to the petitioner, he will harass the *de facto* complainant. He therefore prays to dismiss this Criminal Original Petition.

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

7. Considering the cumulative circumstances and the fact that the



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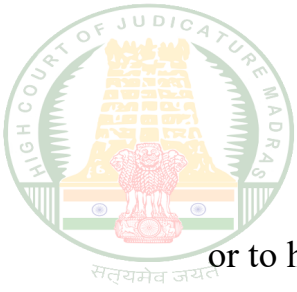
petitioner and the *de facto* complainant are living separately for more than seven months, this Court is of the opinion that custodial interrogation of the petitioner is not necessary for the investigating agency in this case. Considering the same, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate-II, Poonamallee, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate No.II, Poonamallee.

(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 Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall not enter into the residence of the *de facto* complainant / wife and shall not cause any threat to the *de facto* complainant

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or to her family members.

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(iv) The petitioner shall appear and sign before the respondent-police daily 10.00 a.m. until further orders.

(v) The petitioner shall make himself available for interrogation by a police officer as and when required.

(vi) 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 him from disclosing such facts to the Court or to any police officer.

(vii) The petitioner shall also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(viii) The petitioner shall not leave India without the previous permission of the Court.

(ix) The petitioner shall furnish his residential address and mobile



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number to the concerned Magistrate.

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(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in *P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283]*.

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

(R S V J)
21.05.2026

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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.**



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To

- 1.The Judicial Magistrate No.II, Poonamallee.
- 2.DO THROUGH:
The Chief Judicial Magistrate, Thiruvallur.
- 3.The Inspector of Police,
Avadi All Women Police Station,
Avadi District, Chennai-600 054.
- 4.The Public Prosecutor,
Madras High Court.



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R.SAKTHIVEL. J.

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