



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13531 of 2026

Bobby Jose
No 44 , Seethalai Sathnar Nagar,
M G R Nagar, Chennai -78.

..Petitioner/Accused

Vs

State rep by
The Inspector of Police,
R-7, K.K.Nagar Police Station,
Chennai.
(Crime No.52 of 2026)

..Respondent/
Complainant

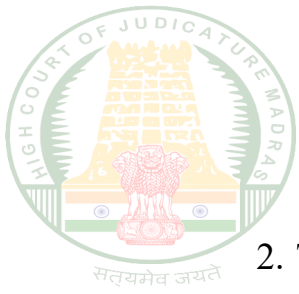
PRAYER :- Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.52 of 2026 on the file of the Respondent police.

For Petitioner:
For Respondent:

Mr.J.Arun En
Mr.C.R.Malarvannan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the petitioner on 19.05.2026 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 329(4), 316(2), 318(4), 296(b) and 351(3) of the Bharatiya Nagarik Sanhita (BNS), 2023 r/w. Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Crime No.52 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner forcibly trespassed into the portion of the defacto complainant's house and occupied the same illegally and claims that he is the owner of the said portion and various persons including criminals were allowed to reside in the said portion without any authorization and also threatened the tenants of the defacto complainant.

4. Mr.J.Arun En, learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. It is alleged that the first accused is the tenant under the defacto complainant. The learned counsel appearing for the petitioner submits that the petitioner is the friend of A1. Hence, the petitioner has been falsely implicated in this case. Further submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.



5. *Per contra*, Mr.C.R.Malarvannan, the learned Additional Public Prosecutor appearing for the respondent-police seeks time to get instructions.

6. However, considering the fact that the petitioner is the friend of the first accused. Considering the overt act as alleged in the First Information Report, 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 XXIII Metropolitan Magistrate, Saidapet, Chennai within a period of 15 days from the date of receipt of a copy of this order, on executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) along with two sureties each for a like sum of Rs.50,000/- (Rupees Fifty Thousand only) to the satisfaction of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai.

(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 XXIII Metropolitan Magistrate, Saidapet, Chennai, shall obtain a copy of any one of 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.

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(iv) The petitioner/accused shall keep the investigating officer updated for posted about his permanent as well as present address of his residence and mobile number. Any change thereafter immediately intimate to the investigating officer.

(v) The petitioner shall not enter into the area within 500 meters of the defacto complainant residence and her work place.

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

(vii) 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.

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

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

(x) The petitioner shall furnish his residential address and mobile number to the concerned Magistrate.

(xi) On breach of any of the aforementioned conditions, the learned XXIII Metropolitan Magistrate, Saidapet, Chennai 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*.

22-05-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MTL

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 XXIII Metropolitan Magistrate, Saidapet, Chennai.
2. The Inspector of Police,
R-7, K.K.Nagar Police Station,
Chennai.
- 3.The Public Prosecutor,



High Court, Madras.

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R.SAKTHIVEL, J.

MTL/JRS

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