



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13553 of 2026

Raja Alias Soundarajan,
S/o. Santhanam,
No.50, Pillayar Koil Street, Koyambedu,
Padikuppam, Chennai-600107.

..Petitioner/Sole Accused

Vs

The State Rep. by,
The Inspector of Police,
V-5 Thirumangalam Police Station,
Thirumangalam, Chennai.
(Crime No.309 of 2026)

..Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) Act, 2023, praying to enlarge the petitioner/sole accused on bail in the event of arrest in connection with the above said Crime No.309 of 2026 on the file of the Inspector of Police, V-5 Thirumangalam Police Station, Thirumangalam, Chennai.

For Petitioner : Mr. B. Thirumalai

For Respondent : Mr. R. Ganesh Kumar,
Government Advocate (Criminal side)
Assisted by Mr. A. Mohammed Imran

ORDER

This Criminal Original Petition has been filed by the petitioner on 19.05.2026 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) Act, 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 296(b), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita (BNS) Act, 2023, and Section 4 of Tamil Nadu Prohibition of Harassment of Women (TNPBW) Act, in Crime No.309 of 2026 on the file of the respondent police.

3. The case of the prosecution is that, the defacto complainant is the wife of the petitioner. Due to certain domestic misunderstandings, a wordy quarrel arose between them on 11.05.2026, during which the petitioner, suspecting the defacto complainant, assaulted her with a stick and caused simple injuries. Hence, the case.

4. Mr. B. Thirumalai, the learned counsel for the petitioner, submits that the petitioner is innocent 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 to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. *Per contra*, Mr. R. Ganesh Kumar, the learned Government Advocate (Criminal Side) assisted by Mr.A.Mohammed Imran, appearing for

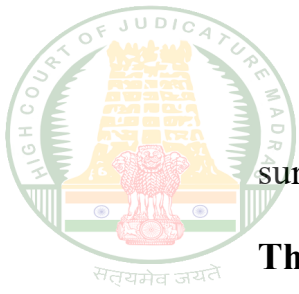


the respondent-police, submits that the petitioner assaulted the defacto complainant with a stick and caused injuries to her, abused her in filthy language, and threatened her with dire consequences. He further submits that no previous cases are pending against the petitioner. He also submits that if pre-arrest bail is granted to the petitioner, he will abscond and tamper with the evidence. Therefore, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides'. This Court has perused the material records available in the bundle.

7. Considering the above facts and circumstances of the case, the submissions made by both sides, this Court is of the view that custodial interrogation of the petitioner may not be required to the Investigating Agency. Hence, 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 pre-arrest bail in the event of his arrest or in the event of his surrender before the learned **XIII Metropolitan Magistrate, Egmore, Chennai**, 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.10,000/- (Rupees Ten Thousand only)** along with two



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sureties each for a like sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the satisfaction of the learned **XIII Metropolitan Magistrate, Egmore, 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 Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

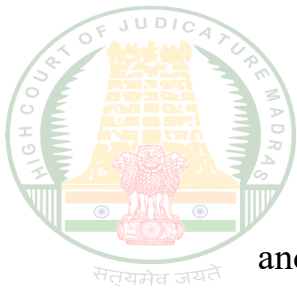
(iii) **The petitioner shall appear and sign before the respondent-police daily at 10:00 A.M., until further orders;**

(iv) The petitioner shall make himself available for interrogation by a police officer 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 him from disclosing such facts to the Court or to any police officer;

(vi) The petitioner shall also not, directly or indirectly, cause any threat to the *de facto* complainant and witnesses and shall not tamper the evidence;

(vii) The petitioner shall not leave India without the previous permission of the Court;



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

(ix) On breach of any of the aforementioned conditions, the learned **XIII Metropolitan Magistrate, Egmore, Chennai**, 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

Neutral Citation: Yes/No
klt/gbi

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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R.SAKTHIVEL, J.

klt/gbi

To

1. The learned XIII Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police,
V-5 Thirumangalam Police Station,
Thirumangalam, Chennai.
3. The Public Prosecutor,
High Court of Madras.

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