



WEB COPY

CRL OP No. 14023 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 04-06-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 14023 of 2026**

Manoj Kumar

..Petitioner(s)

Vs

State rep by  
The Sub Inspector of Police,  
S-7, Madipakkam Police Station,  
Chennai.  
Cr.No.138 of 2026

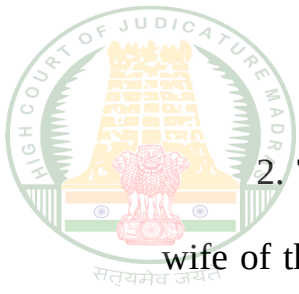
..Respondent(s)

**PRAYER :** Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail in Crime No.138 of 2026 on the file of the S-7 Madipakkam Police Station, Chennai, the respondent herein in the above case.

|                    |                                                                                                                   |
|--------------------|-------------------------------------------------------------------------------------------------------------------|
| For Petitioner(s): | Mr.A.Vasanthakumar                                                                                                |
| For Respondent(s): | Mr.S.Yogaraja Sekar<br>Government Advocate (Criminal side)<br>Mr.S.Ramesh for<br>Mr.S.Malar Mannan for Intervenor |

### **ORDER**

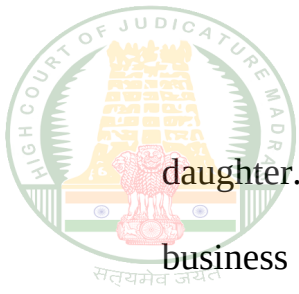
The petitioner, who was arrested and remanded to judicial custody on 13.04.2026 for the alleged offences under Sections 296 (b), 308 (1), 329 (1) and 351 (2) of the BNS and under Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.138 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the defacto-complainant is the ex-wife of the petitioner, and they have one daughter. During their marriage, they purchased plot No.18, F1, Lakshmi Road, Palaya Garden, Madipakkam, Chennai, in the year 2012. They subsequently divorced in 2019. Since the defacto-complainant has been paying the EMI, the property registered in her name. However, the petitioner is forcing her to register the property in his favor. Consequently, the petitioner assaulted the defacto-complainant, used filthy language and threatened her with dire consequences. Furthermore, he continues to occupy the aforementioned plot and refuses to vacate the premises. As the defacto complainant and her daughter reside in the same locality, the petitioner regularly disturbs them. Hence the case.

3.The learned counsel for the petitioner submitted that the defacto-complainant is the ex-wife of the petitioner and that property in which the petitioner is residing belong to him. However, to drive him away from that residence, the defacto-complainant has given a false complaint. He further submitted that the petitioner is innocent and has been in custody since 13.04.2026. Hence, he prays to grant bail to the petitioner.

4.The learned counsel for the intervenor strongly opposed the petitioner's contention submitting that the petitioner trespassed into the defacto-complainant's residence and spoke ill about the defacto-complainant and her



daughter. The learned counsel further submitted that the petitioner had no business to do so as the petitioner and defacto-complainant separated in 2019.

Furthermore, the intervenor counsel specifically submitted that if the petitioner was enlarged on bail, he would again come to the premises and endanger the lives of the defacto-complainant and her daughter. Hence, he prayed for the dismissal of the bail application.

5.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the intervenor's contention and strongly opposed for grant of bail to the petitioner.

6. I have given anxious consideration to the submissions made by the learned counsel on either side.

7.Looking into the factual position, although there are allegations and counter allegations, it is an admitted fact that the defacto-complainant is the ex-wife of the petitioner and that the petitioner has been in incarceration since 13.04.2026. The main concern raised by the learned counsel for the intervenor is that if the petitioner is enlarged on bail, he will commit a similar offence again. However, while such a submission is based only upon apprehension, this Court is still of the view that this apprehension may be addressed by directing the petitioner to stay away from Chennai. Hence, taking into consideration the



long incarceration of the petitioner since 13.04.2026, and the further fact that in an offence of this nature, the major portion of the investigation might have been completed by this time, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties each for a like sum to the satisfaction of the learned **Additional Mahila Court, Alandur, Chennai**, and subject to the following conditions:

[a] 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 the identity proofs to ensure their identity;

**[b] the petitioner shall stay at Nagercoil and report before the Nesamony Nagar Police Station, Vattakari Road, Vetturimadam, Nagercoil, daily morning at 10.30 AM and evening at 5.30 PM until further orders;**

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate



WEB COPY



action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

**[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.**

**04-06-2026**

ep

**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 the official website of this Court will be watermarked and will also have a QR code.



WEB COPY

CRL OP No. 14023 of 2



**C.KUMARAPPAN, J.**

**EP**

To

1.Additional Mahila Court, Alandur, Chennai.

2.The Superintendent of Prison,  
Puzhal Prison, Chennai.

3..The Sub Inspector of Police,  
S-7, Madipakkam Police Station,  
Chennai.

4.The Inspector of Police,  
Nesamony Police Station,  
Nagercoil.

5.The Public Prosecutor  
High Court of Madras.

**CRL OP No. 14023 of 2026**

**04-06-2026  
(1/2)**