



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15103 of 2026

Mahesh Boopathi
S/o.Udayakumar,
No.160, E.B.Engineer Colony,
Nagaramalai road,
Alagapuram,
Salem District-636016.

..Petitioner(s)

Vs

The state rep. by,
Inspector of Police,
Tharamangalam Police Station,
Salem District.
Cr.No.643 of 2025.

..Respondent(s)

PRAYER: Criminal Original Petition has been filed under Section 482 of BNSS, praying to grant anticipatory bail to the petitioner in the event of arrest by the respondent police in Cr.No.643 of 2025, pending investigation on the file of the respondent police.

For Petitioner(s): Mr.S Sudhanthiran

For Respondent(s): Mr.N.Palanivel,
Government Advocate (Crl. Side)

Order

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 296(B), 115(2) and 351(2) of the Bharatiya Nyaya Sanhita and Section 4 of the Tamil Nadu



Prohibition of Harassment of Women Act, in Crime No.643 of 2025, seeks anticipatory bail.

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2. The case of the prosecution is that the defacto complainant had a wordy quarrel with her mother-in-law, during the said quarrel, the petitioner herein, who is the brother-in-law came to the spot, assaulted her by hitting her hand and kicking her on the stomach, abused her in filthy language and directed her to go to her parents' home. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the alleged occurrence is stated to have taken place on 10.11.2025, whereas the FIR came to be registered only on 17.11.2025, after an unexplained delay of seven days. No satisfactory explanation has been offered to the said delay. He further submitted that the petitioner is an innocent and has been falsely implicated in this case. The petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned counsel appearing for the intervenor submitted that the Intervenor has no objection.

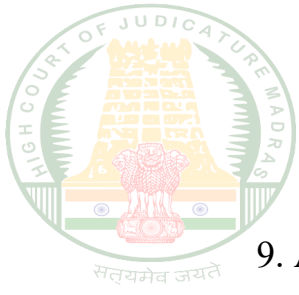


5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioner has seven previous case have been registered against the petitioner in Crime Nos.212/2013, 247/2012, 9/18, 16/18, 121/18, 149/19 and 744/22. However, he opposed to grant anticipatory bail to the petitioner.

6. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

7. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

8. From the submission made by the learned Government Advocate (Crl.Side) and upon considering the antecedents of the petitioner, it is seen that he is involved in seven previous cases in Crime Nos.212/2013, 247/2012, 9/18, 16/18, 121/18, 149/19 and 744/22, which clearly demonstrates that the petitioner has misused the liberty granted by this Court and subverts the course of justice by repeatedly committing the similar offences. If he is enlarged on anticipatory bail merely on the basis of the no objection given by the intervenor, there is every possibility of recidivism. Hence, this Court is of the view that it is not desirable to enlarge the petitioner on anticipatory bail.



9. Accordingly, this Criminal Original Petition stands dismissed.

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16-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

AH

To

1.The Inspector of Police,
Tharamangalam Police Station,
Salem District.

2.The Judicial Magistrate,
Omalur.

3.The Public Prosecutor,
High Court, Madras.



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CRL OP No. 15103 of 2



C.KUMARAPPAN J.

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CRL OP No. 15103 of 2026

16-06-2026