Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31367 of 2026

CNR: {HCMA012572552026}

H.Gowtham

..Petitioner(s)

Vs

The State Rep by
The Inspector of Police
T-10, Thirumullaivoyal Police Station,
Avadi.

..Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS, praying to grant anticipatory bail to the petitioner in the event of arrest in connection with Crime No.270 of 2026 on the file of the Inspector of Police, Thirumullaivoyal.

For Petitioner(s): Ms.N.Savitha

For Respondent(s): Mr.R.Rajasekaran
Government Advocate (Crl.Side)

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ORDER

The petitioner apprehends arrest for the alleged offences under Sections 85 and 319(2) of BNS in Crime No.**270 of 2026** on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are husband and wife, between whom matrimonial disputes arose. It is alleged that the petitioner impersonated an advocate on WhatsApp to threaten the defacto complainant, falsely stating that he had initiated divorce proceedings against her.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and a false case has been foisted against the petitioner and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions.

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6. This is a case involving a matrimonial dispute and the impersonation of an advocate by the petitioner. According to the de facto complainant, she was driven out of her matrimonial home in April 2025 and subsequently moved to her parents' house with her son in May 2025. The matrimonial dispute has led to frequent altercations between the parties. The petitioner allegedly sent messages under the guise of an advocate named Naresh Kumar, demanding a divorce and threatening the de facto complainant. Further, it is alleged that the husband had fabricated a counterfeit advocate's seal and was impersonating a legal practitioner. It is stated by the petitioner that the evident motive behind the husband's actions was to coerce the wife into consenting to divorce proceedings. Records indicate that the petitioner has filed H.M.O.P. No. 352 of 2025 on the file of the Sub Court, Ambattur, which is currently pending. In the said petition, the petitioner has leveled allegations of misconduct against his wife and is seeking custody of their three-year-old child.

7. Considering the nature of the allegations, the fact that the dispute between the parties is matrimonial in nature with both sides making rival contentions against each other, and the pendency of the matrimonial proceedings, this Court is of the firm view that the custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

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8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned District Judge, Tiruvallur** on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only),** with **two sureties each,** for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a)If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety slip (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent police daily at 10.30 am for a period of 15 days and thereafter as and when required;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on

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anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

29-10-2026

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

MFA

To

1.The District Judge,
Tiruvallur.

2. The Inspector of Police
T-10, Thirumullaivoyal Police Station,
Avadi.

3. The Public Prosecutor,
High Court, Chennai.

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N.RAMESH, J.

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