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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31865 of 2026

CNR: {HCMA012626942026}

Abitha

..Petitioner(s)

Vs

State Represented By,
The Inspector of Police
F5 Choolaimedu Police Station,
Chennai,
Tamil Nadu.
Crime No.494/2026

..Respondent(s)

PRAYER :

Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioner on bail in the event of her arrest pending investigation in Crime NO. 494 of 2026 on the file of the respondent police and thus render justice.

For Petitioner(s): Mr. R. Subramanian

For Respondent(s): MR.R.RAJASEKARAN
GOVERNMENT ADVOCATE (CRIMINAL SIDE)

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ORDER

The petitioner apprehends arrest for the alleged offences under Sections 351(2) and 308(4) of BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act in Crime No. **494 of 2026** on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant, who is a married woman having two children, got introduced to A1 through Instagram, and both were in a romantic relationship. During that time, A1 extorted a sum of Rs. 6,00,000/- from the de facto complainant. Subsequently, the de facto complainant severed her friendship with him. Thereafter, both A1 and A2 demanded money, harassed, threatened, and attacked the de facto complainant. Hence, the complaint.

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 she 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.

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4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that there are two accused in this case. The petitioner herein is A2, and the first accused has already been arrested and released on bail. However, he opposed the grant of anticipatory bail to the petitioner.

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

6. The allegation against the petitioner is that she, being a friend of A1, threatened the de facto complainant and demanded money. Considering the nature of the allegations and the fact that the co-accused has already been granted bail, this Court is of the firm view that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned XVII Metropolitan Magistrate, Chennai** 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:

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(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 as and when required for interrogation;**

(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 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.

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

1. The XVII Metropolitan Magistrate
   Chennai.

2. The Inspector of Police
   F5 Choolaimedu Police Station,
   Chennai, Tamil Nadu.

3. The Public Prosecutor,
   High Court, Chennai.

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N.RAMESH, J.

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