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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2026

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THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34815 of 2026

Sarathkumar,
S/o.Parthasarathy,
23, Mosque Street,
Pudupalayam, Cuddalore. ...Petitioner/Accused

Vs

The State Rep.by
The Station House Officer,
Cuddalore NT Police Station,
Cuddalore District. ...Respondent/Complainant
(Crime No.479 of 2026)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/1st accused on bail in connection with Crime No.479 of 2026 to the petitioner, pending investigation on the file of the respondent police.

For Petitioner(s): Mr.S.C.Vishwanth

For Respondent(s): Mr.M.M.I.Khaleel,
Govt.Advocate (Crl.Side)

O R D E R

The Petitioner, who was arrested and remanded to judicial custody on 30.10.2026 for the alleged offence under Section 126(2), 296(b) and 351(2) of BNS R/w.Section 4 of TNPWH Act @ 126(2), 296(b) and 351(2) of BNS, r/w 4 of TNPWH Act and 67 of IT Act, 2000, in Crime No.479 of 2026 on the file of the respondent police, seeks bail.

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2. It is a case of posting the photograph of a woman on WhatsApp status. According to the prosecution, the petitioner posted the photograph of the de-facto complainant's wife on his WhatsApp status and also threatened the complainant and his wife. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and has been falsely implicated in this case. He further submitted that the petitioner has been in judicial custody since 30.10.2026. He also further submitted that there was an earlier family dispute between the parties, which led to the present occurrence and the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that there was an earlier family dispute between the parties and that, due to the said dispute, the petitioner posted the photograph of the de-facto complainant's wife as his WhatsApp status and also threatened them. Hence, he stronlgy opposed the grant of bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

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6. Considering the nature of the allegations, the earlier family dispute between the parties and the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. 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 Judicial Magistrate, Additional Mahila Court, Cuddalore,** and on further conditions that:

[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 report before the respondent police daily at 10.30 a.m., for a period of 7 days and thereafter as and when required for interrogation;

[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 pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the

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petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];**

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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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.

To

1.The Judicial Magistrate, Additional Mahila Court, Cuddalore.

2.The Station House Officer,
Cuddalore NT Police Station,
Cuddalore District.

3.The Superintendent,
Central Prison, Cuddalore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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