



CRL OP(MD). No.5067 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL OP(MD)No.5067 of 2026

Prathap Rajkumar

... Petitioner / Sole Accused

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station,
Thoothukudi.
(Crime No.2 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 483 of the BNSS, 2023, to enlarge the petitioner on bail in Crime No.2 of 2026 on the file of the respondent police.

For Petitioner : Mr.K.Palmurugan,
Advocate

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor



CRL OP(MD). No.5067 of 2026

ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 14.01.2026 for the offences punishable under Sections 329(1), 75(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (Corresponding to Sections 441, 354-A and 506(ii) of IPC), in Crime No.2 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 22.12.2025, the petitioner is said to have trespassed into the house of the defacto complainant, criminally intimidated her and misbehaved with her. Hence, the present case has been registered for the aforesaid offences.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and that he has not committed the offences as alleged by the prosecution. He further submitted that the petitioner has been in judicial custody from 14.01.2026 onwards. Hence, he seeks grant of bail to the petitioner.



CRL OP(MD). No.5067 of 2026

4. The learned Additional Public Prosecutor appearing for the respondent submitted that there are no previous cases against the petitioner. He further submitted that if the petitioner is released on bail, he may threaten the defacto complainant. Hence, he objected to the grant of bail to the petitioner.

5. This Court heard the learned counsel appearing on either side and perused the materials placed on record.

6. Considering the fact that the petitioner has no previous cases and also taking into account the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.IV, Thoothukudi District, and on further conditions that :-



CRL OP(MD). No.5067 of 2026

WEB COPY

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m until further orders;

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

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

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid



CRL OP(MD). No.5067 of 2026

WEB COPY

down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala* [(2005)AIR SCW 5560]; and

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

10.03.2026

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To

- 1.The Judicial Magistrate Court No.IV,
Thoothukudi District.
- 2.The Officer-in-Charge,
District Jail,
Thoothukudi at Peroorani.
- 3.The Inspector of Police,
All Women Police Station,
Thoothukudi.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.5067 of 2026

K.K.RAMAKRISHNAN,J.

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ORDER
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