



CRL OP(MD). No.5078 of 2026

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.5078 of 2026

Mukesh

... Petitioner / Accused No.2

Versus

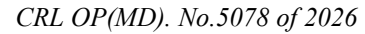
The State of Tamilnadu,
Rep by the Inspector of Police,
Kalugumalai Police Station,
Thoothukudi District.
(Crime No.59 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.59 of 2026 on the file of the respondent police or on his appearance.

For Petitioner : Mr.M.Prabu

For Respondent : Mr.M.Karunanithi,
Government Advocate
(Criminal Side)



The petitioner/accused, who apprehends arrest at the hands of the respondent police in Crime No.59 of 2026 for the offence punishable under Sections 296(b) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, @ Sections 296(b) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, seeks anticipatory bail.

2. The case of the prosecution is that on 06.02.2026, at about 11.30 a.m., due to prior enmity relating to the son of the defacto complainant, the accused persons are alleged to have threatened the defacto complainant and criminally intimidated her, abusing her husband and son in filthy language. Accordingly, a case has been registered against the accused for the aforesaid offences.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is



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ready to abide by any conditions that may be imposed by this Court.

Accordingly, he prayed for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there is a business transaction between the accused persons and the son of the defacto complainant. He further submitted that no injury was sustained by the defacto complainant. However, he objected to the grant of anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case, and also considering that no injury was sustained by defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



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7. Accordingly, this petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order made ready, before the learned Judicial Magistrate Court No.I, Kovilpatti, Thoothukudi District, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of fifteen days and thereafter, as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;



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(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 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) AIR SCW 5560]***; and

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

10.03.2026

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To

- 1.The Judicial Magistrate Court No.I,
Kovilpatti,
Thoothukudi District.
- 2.The Inspector of Police,
Kalugumalai Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

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ORDER
IN
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