

(2026) 01 MAD CK 1856

In the Madras High Court

Case No : Criminal Original Petition No. 2182 Of 2026

Honestraj

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 30-01-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 75(2), 115(2), 126(2), 269, 296(b), 351(3)
Tamil Nadu Prohibition Of Harassment Of Women Act, 1998 — Section 4

Citation : (2026) 01 MAD CK 1856

Hon'ble Judges : K. Rajasekar, J

Bench : Single Bench

Advocate : R. Parthiban, A. Gopinath

Judgement

K. Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 15.01.2026 for the offence under Sections 126(2), 296(b), 115(2), 351(3) 75(2) of BNS Act r/w 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.42 of 2026, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was in a intoxicated mood intercepted the victim girl and attacked her in a public place and caused injuries to her. Hence a case was registered by the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner is taking care of his child aged about 1.5 years and he is in judicial custody from 15.01.2026 and he is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that the petitioner attacked the victim and caused injuries to her and there is no previous case pending against the petitioner. Hence, he opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case, and the fact that the petitioner has to take care of the child and there is no previous case pending against the petitioner and the period of incarceration undergone by the Petitioner, this Court is inclined to grant bail to the petitioners herein with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on their executing 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 Judicial Magistrate No.II, Chengalpattu 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 appear before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

[c] 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 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];

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