

(2026) 06 MAD CK 0730

In the Madras High Court

Case No : Criminal Original Petition No. 14998 Of 2026

Jana

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 15-06-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 75(2), 269, 329(4)
Rights Of Persons With Disabilities Act, 2016 — Section 92(B)
Tamil Nadu Prohibition Of Harassment Of Women Act, 1998 — Section 4

Citation : (2026) 06 MAD CK 0730

Hon'ble Judges : C.Kumarappan, J

Bench : Single Bench

Advocate : G.Pugazhenthir, S.Yogaraja Sekar

Judgement

C.Kumarappan, J

1. The petitioner, who was arrested and remanded to judicial custody on 25.04.2026 for the alleged offences under Sections 329(4) and 75(2) of the Bharatiya Nyaya Sanhita, 2023 read with Section 92(b) of the Rights of Persons with Disabilities Act, 2016 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.160 of 2026 on the file of the respondent police, seeks bail.
2. The allegation against the petitioner is that he trespassed into the house of the victim and misbehaved with her. Hence, the case.
3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. He would further submit that the petitioner has been under incarceration since 25.04.2026 and is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.
4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of bail to the petitioner, reiterated the

prosecution case and, on instructions, submitted that a major portion of the investigation has already been completed and that the petitioner has no bad antecedents.

5. Considering the above facts and circumstances, particularly the period of incarceration undergone by the petitioner, the fact that a major portion of the investigation has already been completed, and also the fact that the petitioner had antecedents, this Court is inclined to enlarge the petitioner on bail, to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on their 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 Additional Mahila Court, Villupuram and subject to the following conditions:

[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 stay at Sivagangai and report before the Inspector of Police, Singampunari Police Station, Singampunari, Tamil Nadu 625103 twice a day at 10.30 a.m. and 05.30 p.m. until further orders;

[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 take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.