

(2026) 01 MAD CK 1749

In the Madras High Court

Case No : Criminal Original Petition No. 274 Of 2026

Kali @ Kalidass

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 08-01-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 118(1), 126(2), 296(b), 309(6), 311, 351(3)
Tamil Nadu Prohibition Of Harassment Of Women Act, 1998 — Section 4
Bharatiya Nyaya Sanhita, 2023 — Section 269

Citation : (2026) 01 MAD CK 1749

Hon'ble Judges : K.Rajasekar, J

Bench : Single Bench

Advocate : Kali @ Kalidass, A.Gopinath

Judgement

K.Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 23.10.2025 for the alleged offence under Sections 126(2), 296(b), 309(6), 311, 118(1), 351(3) of BNS r/w. 4 of TNPHW Act in Crime No.394 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner is alleged to have joined hands with other accused, waylaid the defacto complainant, and snatched his mobile phone. Hence the petitioner was arrested.

3. The learned counsel appearing for the petitioner submitted that for the purpose of detaining the petitioner under Act 14 of 1982, this false case has been registered against him. The petitioner has been in custody since 23.10.2025 and is ready to abide by any stringent conditions that may be imposed by this Court. He further submitted that regarding the previous cases, 4 cases ended in acquittal. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police reiterated the prosecution case and submitted that the

petitioner is involved in 7 previous cases and the investigation is not concluded. The petitioner was also detained under Act 14 of 1982, and the same has been revoked on the basis of the opinion of the advisory board. Hence, he opposed to grant bail to the him.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions made by the learned counsel on either side, and the fact that the petitioner has been in custody since 23.10.2025, though it is reported that the petitioner has 7 previous cases, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties, for a like sum to the satisfaction of the learned 23rd Metropolitan Magistrate, Saidapet, Chennai, and on further conditions that:-

[a] 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 concerned Trial Court daily at 10.30 a.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 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];

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