

(2026) 06 MAD CK 0549

In the Madras High Court, Madurai Bench

Case No : Criminal Original Petition (MD) No. 10702 Of 2026

Lingam

APPELLANT

Vs

State Of Tamil Nadu

RESPONDENT

Date of Decision : 10-06-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 115(2), 269, 296(b), 303(2), 351(2)
Tamil Nadu Prohibition Of Harassment Of Women Act, 1998 — Section 4

Citation : (2026) 06 MAD CK 0549

Hon'ble Judges : P. Dhanabal, J

Bench : Single Bench

Advocate : P.Banuprasath, G.Ganesh Kumar

Judgement

P. Dhanabal, J

1. The petitioner / Accused, who was arrested and remanded to judicial custody on 21.05.2026, for the offences punishable under Sections 296(b), 115(2), 303(2) and 351(2) of BNS and Section 4 of TNPHW Act, in Crime No. 143 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that while the defacto complainant working in a nighty shop, the accused person came there, abused her in filthy language and assaulted her by hitting her on the neck, face and other parts of the body. He snatched the gold thali chain weighing about 5 sovereigns. When one Thangamani attempted to prevent the same, he also assaulted her. He also outraged the modesty of the defacto complainant by forcibly pulling her saree and tearing her blouse. He also criminally intimidated her by threatening to kill her, if she lodged a complaint. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. Originally the defacto complainant was living separately from her husband. Thereafter she developed

acquaintance with the petitioner. When the same was known to her family, she stopped all the communication with the petitioner. The same was questioned by the petitioner and the petitioner only scolded the defacto complainant. Owing to that the present complaint was lodged. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (crl. Side) appearing for the respondent would submit that the offence are grave in nature. The petitioner has trespassed into the shop and misbehaved with the defacto complainant by pulling her saree and tearing her blouse also. He also criminally intimidated the defacto complainant and also made assault upon the defacto complainant and also other persons in that shop. The injured has been discharged from the hospital. The petitioner has one previous case. No recovery was made. He vehemently opposed the grant of bail to the petitioner.

5. This Court heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, considering the nature of charges levelled against the petitioner, the injured was discharged from the hospital, though the petitioner has one previous case, already he was granted bail in that case also, and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to 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 learned Judicial Magistrate, Rajapalayam, and on further conditions that:

[b] the petitioner shall report before the respondent police, at 10.30 a.m., on every Saturday for a period of four weeks, thereafter as and when required for interrogation:

[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

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