

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, CHENNAI

Present :Thiru.S.Karthikeyan, M.A., M.L., M.Sc., PGDCFSc., PGDDF.,

Principal Sessions Judge.

Friday, the 5th day of June, 2026.

Crl.M.P.No.4684/2026

and

Crl.M.P.No.4777/2026

(Intervene Petition)

in

A.W. P.S. Crime No.7/2026

S.Kathiresan

.. Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,

All Women Police Station,

Thousand Lights,

Chennai.

..Respondent/Complainant.

This petition is coming on this day before this court for hearing in the presence of M/s.Krishna Ravindran and A.Chjaries Darwin, the Counsel for the petitioner and of the CPP for respondent police and of M/s.T.R.Prabakaran, S.R.Jothinath, D.Ganesh Prabu and A.Ramesh, the counsel for the intervenor and upon hearing both sides, this Court delivered the following,

ORDER

1. The petitioner, who apprehends arrest by the respondent police for the alleged offences punishable u/s 74, 79, 351(2), 352 of BNS and u/s 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.7/2026 on the file of the respondent police, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner herein compelled the defacto complainant to tender unconditional apology and abused her in filthy language and thereby defamed her in the presence of the members of the Tamil Nadu Film Producers Association.

3. The learned counsel for the petitioner submitted that there are certain disputes between the petitioner and defacto complainant with regard to the election for the Tamil Nadu Film Producers Association. Due to the said motive, the defacto complainant is continuously giving complaint against the rival members of the Association. According to the learned counsel for the petitioner, all the offences are

bailable in nature, except Sec.4 of the Tamil Nadu Prohibition of Harassment of Women Act. According to the learned counsel for the petitioner, even Sec.4 of the Tamil Nadu Prohibition of Harassment of Women Act would not attract in this case. Hence, he prays for anticipatory bail.

4. The defacto complainant has appeared through a counsel and filed intervene petition. The defacto complainant was permitted to intervene in this petition. According to the learned counsel for the intervenor, the defacto complainant is the active member of Tamil Nadu Film Producers Association. There are election rivalry between two factions. The petitioner and other co-accused continuously harassing her in public place without even considering her as a woman. In this connection, she has lodged several complaints and several First Information Reports were registered. Apart from that, she has approached the Tamil Nadu Women Commission also and the Tamil Nadu Women Commission also recommended suitable action against the petitioner and other accused. According to the learned counsel for the intervenor, if the petitioner is granted anticipatory bail, they would continue to harass the petitioner. Therefore, he strongly opposed the grant of anticipatory bail to the petitioner.

5. The learned CPP has submitted that due to election motive, the petitioner and other co-accused abused the defacto complainant and defamed her in the presence of other members of the Tamil Nadu Film Producers Association. The learned CPP has also confirmed that there are several complaints were given by the defacto complainant herein and the same were registered and under investigation. The learned CPP has objected to grant anticipatory bail to the petitioner on the ground that it is an offence against woman.

6. This court has given its thoughtful consideration to the rival submissions put forth by either side. As per the allegations, the petitioner and other co-accused continuously harassed the defacto complainant due to election rivalry. As submitted by the learned counsel for the petitioner all the offences are bailable in nature, except Sec.4 of the Tamil Nadu Prohibition of Harassment of Women Act. The main contention of the intervenor is that she was forced to give an unconditional apology

in the presence of other members of the Tamil Nadu Film Producers Association, which demeaned her. The records reveals that there are election rivalry between two factions. In this connection, similar kind of complaints were already given and under investigation. As submitted by the learned counsel for the petitioner due to election rivalry, the false implications also cannot be ruled out, which requires a deep and thorough investigation. Anyhow, all the offences are bailable in nature, except Sec.4 of the Tamil Nadu Prohibition of Harassment of Women Act. Sec.4 of the Tamil Nadu Prohibition of Harassment of Women Act is punishable below seven years. No custodial interrogation is necessary in this case. Therefore, this court is inclined to grant anticipatory bail.

7. Accordingly, 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 of this order, before the XXXIII Metropolitan Magistrate, Chennai 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 likesum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition 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 appear before the respondent police daily at 10.00 a.m. until further orders.

[c] the petitioner shall not given any room for further allegations as to harassment.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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 Supreme Court in P.K. Shaji Vs. State of Kerala [(2005) AIR SCW 5560].

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

Dictated to Steno-typist, typed by him directly, corrected and pronounced by me in open court this the 5th day of June, 2026.

Principal Sessions Judge

Copies to:

1. The XXXIII Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, All Women Police Station,
Thousand Lights, Chennai.

SS

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