

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 18183 of 2026

1. Sibiyarasu
S/o. Vadivel,
No.67/54, Perumal Koil Street,
Kolathur,
Asoor Post,
Kanchipuram District.
2. Pavithran
S/o. Mahendran,
No.33, Round Bungalow,
Walajabad,
Kanchipuram District.
3. Abdul Charu
S/o. Dawud Basha,
No.9, Ibrahim Sayabu Street,
Walajabad,
Kanchipuram District.

..Petitioner(s)

Vs

State by its
The Inspector of Police,
Walajabad Police Station,
Walajabad,
Kanchipuram District.
Crime No. 216 of 2026.

..Respondent(s)



PRAYER: This Criminal Original Petition is filed under Section 482 of BNSS, praying to enlarge the petitioner on bail in the event of their arrest in Crime No.216 of 2026 on the file of the Respondent and thus render Justice.

For Petitioner(s): M/S. K.G.Senthil Kumar

For Respondent(s): MS.R.S.INDIRA, GOVT.ADVOCATE
(CRL.SIDE)

ORDER

The petitioners apprehend arrest for the alleged offences under Sections **126(2), 296(b), 118(1) and 351(3) of BNS** in Crime No.216 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that dispute erupted in a funeral procession. In furtherance of a wordy quarrel, an altercation took place. The petitioners had assaulted the defacto complainant, due to which, he sustained injuries. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioner are innocent persons and a false case has been foisted against them and that they have not committed any offence as alleged by the prosecution. Hence, he prayed to grant anticipatory bail to the petitioners.

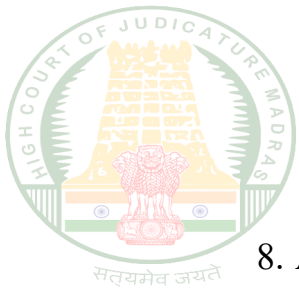


4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the second petitioner namely Pavithran and the third petitioner namely Abdul Charu have eight and one criminal antecedents registered against them respectively. However, he submitted that the first petitioner herein namely Sibiyarasu has no criminal antecedent. He fairly submitted that injured discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

5. I have given my anxious consideration to either side submissions.

6. Considering the nature of the allegations and considering the fact that the second petitioner namely Pavithran and the third petitioner namely Abdul Charu have eight and one criminal antecedents registered against them respectively, this Court is of the firm view that, they do not deserve to be enlarged on anticipatory bail. Consequently, the anticipatory bail application qua the second and third petitioners stands dismissed.

7. However, considering the fact that the first petitioner namely Sibiyarasu has no criminal antecedents and upon the fact that the injured discharged from the hospital, this Court of the firm view that custodial interrogation of the first petitioner is not required. Hence, this Court is inclined to enlarge the first petitioner on anticipatory bail, subject to certain conditions.



8. Accordingly, the first petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.II, Kanchipuram** on condition that **the first petitioner shall execute 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 Magistrate concerned, and on further conditions:

(a) If the first petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety slip (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The first petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter as and when required for interrogation;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the first petitioner in accordance with law as if



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the conditions have been imposed and the first petitioner is released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

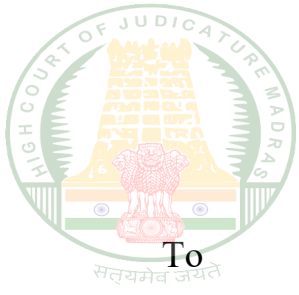
(e) If the first petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

9. In the result, this Criminal Original Petition stands dismissed as against the second and third petitioners, and stands allowed in respect of the first petitioner.

13-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MFA



To

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1. The Judicial Magistrate No.II,
Kanchipuram.
2. The Inspector of Police,
Walajabad Police Station,
Walajabad,
Kanchipuram District.
3. The Public Prosecutor,
High Court, Chennai.



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C.KUMARAPPAN, J.

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