



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

CRL OP No. 23205 of 2026

Jose Charles Martin
S/o. Santhiago Martin,
Member of Legislative Assembly,
Kamaraja Nagar, Puducherry,
No.9, 10, 11, Jothi Vasam,
3rd Cross street, Aravindhar Nagar,
Reddiyarpalayam Post, Puducherry

..Petitioner

Vs

The State Rep by.,
The Sub Inspector of Police
Muthialpet Police Station,
Puducherry.
(Crime No.58 of 2026)

..Respondent

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner herein on
Anticipatory bail in the event of his arrest in Crime No. 58 of 2026 on the file of
the respondent police.

For Petitioner:

Mr.Karthik Raja

For Respondent:

Mr.Djearany
Government Advocate (Crl.side)



ORDER

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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 123(3) of the Representation of the People Act, 1951 and Sections 174, 223 and 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No. 58 of 2026, seeks anticipatory bail.

2. The petitioner is an M.L.A. of the Kamaraj Nagar Constituency, Puducherry. He seeks anticipatory bail on account of the complaint lodged by the Returning Officer for the Muthialpet and Raj Bhavan Assembly Constituencies, Puducherry on 07.04.2026.

3. Mr.Karthik Raja states that petitioner is no way responsible for the meeting said to have been held at Vaithikuppam, Puducherry on 29.03.2026.

4. Mr.Djearany, learned Government Advocate (Crl.side) reports that investigation has been completed, and charge sheet has been filed and has been taken on file in S.T.C.No.2312 of 2026 on the file of the learned Judicial Magistrate V, Puducherry.

5.Considering the same, this Court is inclined to grant anticipatory bail



to the petitioner with certain conditions.

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6. 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 on which the order copy made ready, before the learned Judicial Magistrate, V, Pondicherry, 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 like sum, to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed 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 learned Magistrate may obtain a copy of their Aadhar card or Bank pass book to ensure their identity.

[b] the petitioner shall not tamper with evidence or witness, during trial.

[d] the petitioner shall not abscond during trial.

[e] on breach of any of the aforesaid conditions, the learned Magistrate is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned Magistrate himself, as laid down by the Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS.

20-08-2026

arr



To

1. The Sub Inspector of Police
Muthialpet Police Station,
Puducherry.

2. The Judicial Magistrate V,
Puducherry.

3. The Public Prosecutor
High Court, Madras.



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V.LAKSHMINARAYANAN, J.

arr

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