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Crl.OP.No.25292 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

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THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

Crl.O.P.No.25292 of 2025

Kavin

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Tharamangalam Police Station
Salem District.
(Cr.No.526 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Cr.No.526 of 2025 on the file of the respondent police.

For Petitioners : Mr. J.Franklin

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 296(b)(294(b) of IPC), 115(2) (323 of IPC), 118(1)(324 of IPC), 324(2)(426 of IPC), 351(3)(506(2) of IPC) of BNS Act, r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No. 526 of 2025, on the file of the



respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner along with other accused persons came to the defacto complainant's house and attacked the defacto complainant and her husband. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He submits that there was a quarrel between two groups and counter FIR was also registered in Crime No.524 of 2025. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, nature of allegations and submissions made by learned counsels on either side, 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, Omalur** 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 and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen 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 ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] **the petitioner shall report before the respondent Police daily at 10.30am for a period of two weeks and thereafter, as and when required for interrogation;**

[d] On breach of any of the aforementioned



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conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

16.09.2025

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To

- 1.The Judicial Magistrate, Omalur.
2. The Inspector of Police,
Tharamangalam Police Station
Salem District.
3. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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