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CRL.O.P.No.257 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **08.01.2026**

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.257 of 2026

Nethaji

... Petitioner

Versus

State rep by its,
The Inspector of Police,
M-6, Manali Police Station,
chennai.
(Crime No.721 of 2025)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on bail in the event of his arrest in Crime No.721 of 2025 on the file of the respondent police.

For Petitioner : Mr.P.Parthipan

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 296(b), 118(1), 351(3) r/w 3(5) of BNS, in Crime No.721 of 2025 seeks anticipatory bail.



2.The allegation against the petitioner is that, due to previous enmity, a wordy quarrel arose between the petitioner and the defacto complainant, during which the petitioner abused the defacto complainant in filthy language, attacked him with a wooden log on his forehead, thereby causing injuries and also threatened him with dire consequences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the co-accused/A1 & A3 were arrested and released on bail by the Sessions Court. He further submitted that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is ranked as A2. He submitted that the co-accused were already released on bail by the Sessions Court and the petitioner has two previous cases pending against him. He further submitted that the injured has been discharged from the hospital. Hence, he opposed for grant of anticipatory bail to the petitioner.



5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. Considering the submissions made by both side counsels, co-accused were released on bail, and also the fact that the injured was also discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate, Thiruvotriyur, Chennai*, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand Only), with two sureties, each for a like sum 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 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 report before the respondent



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police, everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

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(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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 Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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To

- 1.The Judicial Magistrate, Thiruvotriyur, Chennai.
2. The Inspector of Police,
M-6, Manali Police Station,
chennai.
- 3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

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