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Crl.O.P.No.1738 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2026

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.1738 of 2026

Nagaraj

... Petitioner

Vs.

State By,
Inspector of Police,
Hudco Police Station,
Krishnagiri District.
(Crime No.371 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Crime No.371 of 2025 on the file of the respondent police.

For Petitioner : Mr.Thamaraiselven R
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence **under Sections 127(2), 191(2), 191(3), 115(2), 118(1), 140(2) and 309(6) of BNS in Crime No.371 of 2025** on the file of the respondent police seeks anticipatory bail.



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2. Earlier, this Court dismissed the bail application of the petitioner in Crl.O.P.No.34298 of 2025 dated 15.12.2025, on the ground that the properties are not recovered and some other accused are absconding and some of the accused are still in custody.

3. The learned counsel for the petitioner submitted that after dismissal of the bail application, the arrested accused were released on bail and some other accused are also released on anticipatory bail by the Principal Sessions Court, Krishnagiri and the learned counsel has also produced the copy of the orders passed by the learned Principal Sessions Judge, Krishnagiri. Hence, she prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent / State reiterated the prosecution case and, upon instructions, submitted that already arrested accused in this case viz., A1 & A3 to A7 subsequently released on bail and that the petitioner is not having previous bad antecedents. However, she opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the petitioner is also a similarly placed person; arrested accused in this case already released on bail and anticipatory bail, hence there is a change in circumstances, I am inclined to grant



anticipatory bail to the petitioner, subject to 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 (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-II, Hosur**, on condition that **the 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 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 ship (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;

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(c) **The petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks**



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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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To

- 1.The Judicial Magistrate-II, Hosur.
- 2.The Inspector of Police, Hudco Police Station, Krishnagiri District.
- 3.The Public Prosecutor, High Court of Madras.

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