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CRL OP No. 864 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 864 of 2026

S Palanisamy

Petitioner(s)

Vs

The State rep.by, The Inspector of
Police,
Kitchipalayam Police Station, Salem
district.
Cr.No.4/2026.

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest in Cr.No.04 of 2026, pending investigation on the file of the respondent police.

For Petitioner(s): M/s.Sai Krishnan Thiagarajan

For Respondent(s): Ms.J.R.Archana, GA (crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 232, 310(2), 311 and 351(3) of BNS 2023 in connection with the Cr.No.4 of 2026, seeks anticipatory bail.



2. The allegations against the petitioner is that on 31.12.2025, while the defacto complainant was returning home after work, the petitioner along with other accused waylaid and abused her in filthy language, intimidated her stating that her husband shall not depose as a witness in a pending criminal case and forcibly took a sum of Rs.3,500/- from her and threatened with dire consequences. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, and he has been falsely implicated in this case by the respondent police and ready to abide by any stringent condition that may be imposed by this Court. He further submit that there is a delay of five days in registration of FIR, hence, prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution's case and on instructions, submitted that the investigation in this case is still pending and opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. I have gone through the FIR which reveals that the petitioner allegedly threatened the defacto complainant causing no injuries and



considering the facts that there is a delay of five days in registration of FIR, I am inclined to grant anticipatory bail to the petitioner, with certain conditions.

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7. 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 made ready, before the learned **Judicial Magistrate, II Salem** 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 am., for a period two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[c] the petitioner shall not leave India without the previous permission of the Court;

[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



petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

12-01-2026

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To

- 1.The State rep.by, The Inspector of Police,
Kitchipalayam Police Station, Salem district.
2. The Judicial Magistrate-II, Salem.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.

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