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CrI.OP.No. 1459 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 1459 of 2026

Udhayakumar

...Petitioner-A2

Versus

The State rep. by

The Inspector of Police

Moulivakkam Police Station

Avadi City

Kancheepuram District

Crime No.55 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 pending investigation in Cr.No.55 of 2025 on the file of the respondent police.

For Petitioner : Mr.Vijay Anand Sivaraman

For Respondent : Ms.J.R. Archana

Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 126, 115(2), 118(1), of BNS, 2023 (Corresponding to Sections 339, 323, 324 of Repealed IPC, 1860) in Crime No. 55 of 2025, on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against the petitioner is that on 20.10.2025 at 22.45 hours, when the de-facto complainant was returning home on his two wheeler, the petitioner joining hands with other accused attacked him with a stick indiscriminately beaten him. Due to the impact, the de-facto complainant sustained injuries on his head and he was rescued by passersby, admitted in the hospital. Hence the case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that he has not committed any offence as alleged by the prosecution. He also submitted 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 petitioners.

4. Earlier this Court dismissed the anticipatory bail application of the petitioner herein in Crl.O.P.No. 30091 of 2025, dated 05.11.2025 on the ground that the injured still undergoing treatment in the hospital. Now, it is reported that the injured discharged from the hospital.



5. Heard the learned counsels and perused the materials available on record.

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6. Considering the nature of the allegations, and the petitioner is not having any previous case; that the injured is discharged from the hospital, I am of the view that the custodial interrogation of the petitioner is not necessary to investigate the case of this nature, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Sriperumbudur, Kancheepuram District.** on condition that the petitioners 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 condition that:

(a) If the petitioner fail 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 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned 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]**;



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

23.01.2026

MSM

To

1.The Judicial Magistrate, Sriperumbudur. Kancheepuram District.

2.The Inspector of Police
Moulivakkam Police Station
Avadi City

Kancheepuram District

Crime No.55 of 2025.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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