



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL. OP. No.871 of 2026

Asif @ Mohammed Asif

....Petitioner

Vs

The State Represented by
Inspector of Police,
Palacode Police Station
Dharmapuri District
Crime No.288 of 2025.

..Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in connection with Crime No.288 of 2025 on the file of the respondent police.

For Petitioner: Mr.D.Thirumoorthy

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 126(2), 296(b), 109(1) and 351(3) of BNS Act, 2023 [341, 294(b), 307 and 506(2)] r/w 3(1) of PPD Act in Crime No.288 of 2025, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner is alleged that due to wordy quarrel, the petitioner has waylaid the lorry and pelted stones at lorry in which the driver/defacto complainant was injured and also caused damage to the lorry for Rs.5000/- Hence, the case.

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 the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, submitted that the petitioner has attacked the driver of the lorry and also caused damages to the lorry to the tune of Rs.5,000/- and the petitioner is having one previous case pending against him. Hence, he opposed to grant anticipatory bail to the petitioner.

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

6. Considering the nature of allegations and the submissions made



by learned counsel on either side and considering the fact and circumstances of the case and that the petitioner is ready to abide by any condition, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand only)**, to the credit of Crime Number 288 of 2025 and on such deposit and on receipt of proof of payment, 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 of receipt of a copy of this order before the *learned Judicial Magistrate Court, Palacode*, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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



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

(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.

12.01.2026

To
1. The Inspector of Police,
Palacode Police Station
Dharmapuri District

2.The Public Prosecutor
High Court of Madras.
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