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CrI.OP.No. 1366 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 1366 of 2026

Moorthy

...Petitioner

Versus

The State rep. by

The Inspector of Police

Chinnasalem Police Station

Kallakurichi District

Crime No. 20 of 2026.

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. 20 of 2026 on the file of the respondent police.

For Petitioner : Mr.Ranjith Kumar

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 Sections 191(2), 296(b), 115(2), 118(1), and 351(3) of BNS in Crime No. 20 of 2026, on the file of the respondent Police, seeks anticipatory bail.



2.The allegation against the petitioner is that on 12.01.2026 at about 12'0 clock, when the de-facto complainant went to his farm, the 1st accused who is the adjacent land owner, due to previous enmity over a land dispute, attacked the de-facto complainant by using woodenlog. Further, it is alleged that the petitioner herein along with other accused threatened the de-facto complainant with dire consequences using filthy language. Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person and he has not committed any offences as alleged by the prosecution and he is ready to co-operate with the investigation, and therefore, custodial interrogation of the petitioner is not necessary. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submitted that the petitioner herein is ranked as A5. He further submitted that the injured is discharged from the hospital. He further submitted that the petitioner is not having any previous case and no one was arrested in this case. He opposed granting anticipatory bail to the petitioner.



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

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6. Considering the nature of the allegations and facts and the circumstances of the case, and the petitioner has no bad antecedent, injured discharged, 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 petitioners with certain conditions.

7. Accordingly, the petitioners are 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 Court, Chinnasalem**, 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 condition that:

(a) If the petitioners 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 petitioners 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]**;

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

MSM

23.01.2026



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To

1. The Inspector of Police
Chinnasalem Police Station
Kallakurichi District

Crime No. 20 of 2026.

2. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

Crl.O.P.No. 1366 of 2026

23.01.2026