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CRL OP No. 1551 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 1551 of 2026

1. Hemath Kumar @ Kamaraj
S/o. Thiyagaraj 100/89, Athiyappan
Kovil Street Kamarajapuram
Dharapuram Tiruppur District

Petitioner(s)

Vs

1. State rep. by Inspector of Police
Dharapuram Police Station, Tiruppur
District (Crime No. 28 of 2026)

Respondent(s)

PRAYER

To grant Anticipatory Bail to the Petitioner in the event of his arrest in Crime No. 28 of 2026 on the file of the Respondent police, pending investigation and thus render justice.

For Petitioner(s): N. Ponraj

For Respondent(s): M/S.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 115(2), 351(3) of BNS Act r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.28 of 2026, seeks anticipatory bail.



2. The case of the prosecution is that due to previous enmity, the petitioner attacked the defacto complainant with fruit basket and threatened her with dire consequences. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that there are no bad antecedents against the petitioner. Therefore, he prays for grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) would submit that the injured has been discharged from the hospital and there are no previous cases against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also considering the fact that the victim discharged from the hospital and that there are no bad antecedents against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 made ready, before the **learned Judicial Magistrate, Dharapuram**, 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:

(a) If the petitioners fails to surrender before the concerned 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;

(c) **The petitioner shall report before the respondent police everyday 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 aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions 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 v. State of Kerala [(2005) AIR SCW 5560]*;



(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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Mpa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Judicial Magistrate, Dharapuram.

2. State rep. by Inspector of Police
Dharapuram Police Station, Tiruppur
District (Crime No. 28 of 2026)

3. The Public Prosecutor
High Court, Madras.



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K.RAJASEKAR J.
mpa

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