



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

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CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 3090 of 2026

Premkumar

...Petitioner

Vs

The State rep. by
The Inspector of Police,
Kachirapalayam Police Station,
Kallakurichi District.
(Cr.No.418 of 2025)

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in event of arrest, pending investigation in Crime No.418 of 2025 on the file of respondent police.

For Petitioner(s): Mr.V. Gunasekar

For Respondent(s): Ms.J.R. Archana, Government Advocate
(Crl.Side)



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ORDER

The petitioner who apprehend arrest for the alleged offence **under Section 296(b), 115(2), 118(1), 351(3) of BNS Act, 2023 in Crime No.418 of 2025**, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioners is that the petitioner herein due to quarrel with the defacto complainant, abused him with filthy language and also attacked him with iron rod and thereby caused severe injuries. Hence the complaint has been lodged.

3. This Court has earlier dismissed the anticipatory bail petition of the petitioner in CrI.O.P.No.33323 of 2025 on 05.12.2025 on the ground that the injured still in hospital.

4. Today when the matter is taken up for hearing the learned Government Advocate reported that the injured has been discharged from the hospital and there is no previous cases pending against the petitioner.



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

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6 Considering the facts and circumstances of the case, the submissions made by both counsels, and taking note of the fact that the injured discharged from the hospital and there is no previous case as against the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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, before the learned **District Munsif cum Judicial Magistrate at 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 learned Magistrate concerned, and on further condition that:

(a) If the petitioner 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 three 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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 Act.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SMN



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1. The **District Munsif cum Judicial Magistrate at Chinnasalem**

2. The Inspector of Police,
Kachirapalayam Police Station,
Kallakurichi District.

3. The Public Prosecutor,
High Court, Madras



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K.RAJASEKAR, J.

smn

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