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CRL OP No. 2583 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2583 of 2026

Arulraj

..Petitioner(s)

Vs

State rep. by

Inspector of Police,

Pallapatty Police Station,

Salem City.

Crime No.18 of 2026

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of BNSS Act, 2023, praying to enlarge the petitioner on bail in the event his arrest in Crime No.18 of 2026 pending investigation on the file of the respondent police and thus render justice.

For Petitioner(s):

Mr.L Ramanathan

For Respondent(s):

Ms.J.R.Archana

Government Advocate (Crl.Side)



ORDER

The petitioner apprehends arrest for the alleged offence **under Sections 296(b), 118(1) and 351(3) of BNS Act, 2023** in **Crime No.18 of 2026** on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that due to previous enmity, the petitioner joined hands with other accused attacked the defacto complainant and caused severe injuries. Hence the complaint has been lodged.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the defacto complainant and he has been falsely implicated in this case. He further submitted that the injured has been discharged from the hospital and that the petitioner is not having any previous cases and that the petitioner is not having specific overt act of attacking the injured. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, on instructions, submitted that the investigation in this case is still pending and that the petitioner has not having any previous bad antecedents. He also submitted that A2 was arrested and subsequently released on bail by the learned Judicial Magistrate in Crl MP No.251 of 2026. However, he opposed to grant anticipatory bail to the petitioner.



5. Considering the above facts and circumstances of the case, taking note of the submission made by the learned Government Advocate (Criminal Side), nature of allegations, investigation is still progressing, co-accused has been arrested and enlarged on bail and also the fact that no previous bad antecedents registered against him, this Court is of the view that custodial interrogation is not necessary for the purpose of investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to 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 is made ready, before the **learned Judicial Magistrate No.-II, Salem**, 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 conditions:

(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 two weeks and thereafter, as and when required for interrogation;

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(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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

05-02-2026

GBI

To

- 1.State rep. by
Inspector of Police,
Pallapatty Police Station,
Salem City.
Crime No.18 of 2026
- 2.The Judicial Magistrate No.II, Salem.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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