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Crl.OP.No.2749 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.2749 of 2026

D.Sumathi

... Petitioner

Vs.

State of Tamilnadu
Rep by its Inspector of Police,
Kodumudi Police Station,
Erode District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to grant an order of anticipatory bail in the event of petitioner's arrest by the respondent police in connection with the above Cr.No.14 of 2026 pending on the file of the respondent herein.

For Petitioner : Mr.M.A.Gouthaman

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

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 296(b), 115(2), 118(1), 351(2) and 303(1) of BNS, 2023, in Cr.No.14 of 2026 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that while the defacto complainant was returning home after attending a funeral, the petitioner along with others abused and attacked the defacto complainant , caused severe injuries to him and also snatched his mobile phone. Hence, the case has been lodged for taking action against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is ready to cooperate for the investigation and also ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), appearing for the respondent police, reiterated the prosecution case and submitted that the injured has taken treatment as outpatient, investigation in this case is pending and the petitioner is not having any previous case. Hence, he vehemently opposed the grant of anticipatory bail.



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

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6. Considering the nature of allegations, the fact that injured has taken treatment as outpatient, investigation is pending in this case and the petitioner is not having any previous case, 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 ***Judicial Magistrate Court, Kodumudi*** 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,



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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 daily 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.

06.02.2026

Vv

To

- 1.The Judicial Magistrate Court, Kodumudi
- 2.The Inspector of Police,
Kodumudi Police Station,
Erode District.
- 3.The Public Prosecutor
High Court of Madras, Chennai 600 104.

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K.RAJASEKAR, J.

Vv

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