



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 3876 of 2026

Elavarasan

..Petitioner(s)

Vs

State Rep.by, The Inspector of Police,
D1, Kullanchavadi Police Station,
Cuddalore District.
Cr,No.221/2025.

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest in Cr.No.221 of 2025 on the file of the Respondent D1, Kullanchavadi Police Station, Cuddalore District.

For Petitioner(s): Mr.K.J.Sivakumar

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

ORDER

The petitioner, who apprehends arrest at the hand of the respondent police for the offences punishable under Sections 126(2), 296(b), 115(2), 118(1), 351(2) and 109 of BNS Act 2023 and read with Section 4 of the Prevention of Harassment of Women Act, 2002 in Crime No.221 of 2025, seeks anticipatory bail.

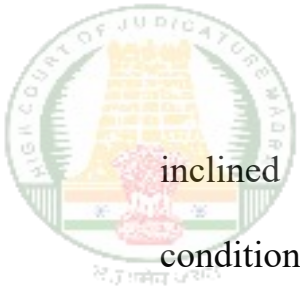


2. Earlier, this Court, vide order dated 26.09.2025 in CrI.O.P.No.26602 of 2025, dismissed the anticipatory bail petition filed by the petitioner primarily on the ground that the petitioner was involved in five previous cases.

3. The learned counsel for the petitioner, in this third anticipatory bail petition, categorically submitted that the petitioner has no previous cases and that the earlier anticipatory bail petition was dismissed on the basis of inadvertent error in submission by the prosecution.

4. When this Court sought clarification from the learned Government Advocate (Crl. Side), she fairly conceded that the petitioner has no criminal antecedents. It was further submitted that a statement was mistakenly made during the earlier proceedings that the petitioner was involved in five previous cases, which has now been verified as incorrect.

5. In view of the above clarification and the fact that the previous dismissal was based on an erroneous submission regarding the petitioner's antecedents, and custodial interrogation of the petitioner is not necessary, I am



inclined to grant the anticipatory bail petitioner subject to the following conditions.

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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 **District Munsif cum Judicial Magistrate, Kurinjipadi, Cuddalore District**, 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 that:

[a] the petitioner shall report before the respondent police daily at 10.30 am., for a period two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action 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 vs. State of Kerala [(2005)AIR SCW 5560].

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

17-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

JAI

To

1. The Inspector of Police,

D1, Kullanchavadi Police Station,

Cuddalore District.

2. The District Munsif cum Judicial Magistrate, Kurinjipadi,

Cuddalore District.

3. The Public Prosecutor,

High Court of Madras.



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K.RAJASEKAR, J.

JAI

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