



Crl.O.P.No.5174 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.5174 of 2026

P. Sureshkumar

... Petitioner

Vs.

The State rep., by
The Inspector of Police,
Madathukulam Police Station,
Tiruppur District.
(Crime No. 184 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Crime No.184 of 2025 on the file of the respondent police.

For Petitioner : Mr. G. Venkatesh

For Respondent : Mr. P. Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 314 and 316(2) of BNS, 2023 in Crime No.184 of 2025 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the defacto complainant let out a tractor on a rental basis to the petitioner/A2 and A1. They paid rent only for six months and thereafter failed to pay the rent and are absconding. Hence the case.

3. The learned counsel for the petitioner would submit that a civil dispute has been converted into a criminal case and therefore, prayed that the petitioner be enlarged on bail.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent would submit that the defacto complaint had leased out his tractor to the petitioner and that, after using the tractor for a period of six months, the petitioner neither paid the rent nor returned the tractor. Therefore, the FIR has been registered and the investigation is pending.

5. I have given my anxious consideration to either side submission.

6. From the facts submitted by either side, this Court is of the firm view that custodial interrogation is not necessary at this length of time. Apart from that there are no previous cases against the petitioner. Therefore, I am of the view that if the petitioner is enlarged on anticipatory bail, it will not have any



serious adverse impact on society of law. Hence, the petitioner is entitled to be enlarged on anticipatory bail, subject to certain conditions.

WEB COPY

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 is made ready, before the **learned Judicial Magistrate, Madathukulam, Tiruppur District**, 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 of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned 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



WEB COPY

Crl.O.P.No.5174 c



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.

02.03.2026

AT

To

- 1.The Judicial Magistrate, Madathukulam, Tiruppur District.
- 2.The Inspector of Police,
Madathukulam Police Station,
Tiruppur District.
- 3.The Public Prosecutor, High Court of Madras.



WEB COPY

Crl.O.P.No.5174 of 2026



C.KUMARAPPAN.J.

AT

Crl.OP.No.5174 of 2026

02.03.2026