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Crl.O.P.No.4880 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2026

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Crl.O.P.No.4880 of 2026

Venkatesan

... Petitioner

Vs.

State rep by
The Inspector of Police,
Thirupathur Town Police Station,
Thirupathur District.
(Crime No.42 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Crime No.42 of 2026 on the file of the respondent police.

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

ORDER

The petitioner, who apprehends arrest for the alleged offence **under Sections 296(b), 118(1), 351(3) of the Bharatiya Nyaya Sanhita (BNS) Act, 2023 in Crime No.42 of 2026**, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner as well as the



defacto complainant are family friends; and that on inebriated condition both the petitioner as well as the defacto complainant's husband assaulted each other due to which, the defacto complainant's wife sustained injury. Hence, the case.

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 petitioner has also given a counter complaint against the defacto complainant registered in Crime No.43 of 2026 and that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate with the investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution's case and, upon instructions, submitted that the injured has been discharged from the hospital. However, he strongly opposed to grant anticipatory bail to the petitioner.

5. Heard the submissions made by the learned counsel on either side and perused the materials available on record.



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6. From the submission made by the learned Government Advocate (Crl.Side) for the respondent, the First Information Report was registered on 22.02.2026 and the injured has already been discharged from the hospital. In such view of the factual position and taking into consideration of the totality of the circumstances and also on the ground that the nature of injury sustained by the victim is only a simple in nature and also discharged from the hospital, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions:

7. Accordingly, the petitioner is ordered to be released on anticipatory 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-I, Thirupattur**, 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 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 sign before the respondent police daily at 10.30 a.m., and 5.30 p.m., until further orders;

(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.

10.03.2026

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To:

1.The Judicial Magistrate No.1,
Thirupathur.



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2.The Inspector of Police,
Thirupathur Town Police Station,
Thirupathur District.

3.The Public Prosecutor,
High Court of Madras.

C.KUMARAPPAN,J.,

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