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Crl.O.P.No.5498 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.5498 of 2026

Gopi

... Petitioner

Vs.

State rep by
The Inspector of Police,
Virinchipuram Police Station,
Vellore District.
(Crime No. 39 of 2026)

... 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 in Crime No.39 of 2026 on the file of the respondent police.

For Petitioner : Mr.Balamanikandan Ganesan

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 296(b), 118(1) and 351(3) of BNS, in Crime No.39 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that while the defacto complainant was riding his bike, the petitioner along with other accused, who were riding their bike in the opposite direction in a rash and negligent manner, was questioned by the defacto complainant. Enraged by the same, the petitioner along with other accused abused and assaulted him using a bike chain, thereby causing injuries to him. Hence, a case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the entire incident had taken place in connection with riding of the motor cycle and that the injuries sustained by the defacto complainant are simple in nature. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent submitted that when the defacto complainant questioned the rash and negligent driving of the petitioner, the petitioner having got enraged, assaulted him. Hence, he opposed to grant anticipatory bail to the petitioner.

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

6. From the submissions made by the learned counsel on either side, it is seen that the injured sustained only simple injuries and was treated as out-patient. In such a view of the position and also taking into consideration the fact that the petitioner is a daily wage, 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 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.IV, Vellore** 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, daily at 10.30 a.m. for a period of 30 days 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.***



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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.

04.03.2026

DRL

To

1.The Judicial Magistrate No.IV,
Vellore.

2.The Inspector of Police,
Virinchipuram Police Station,
Vellore District.

3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN.J.

DRL

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