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Crl.O.P.No.6043 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.6043 of 2026

Shanmugasundaram

... Petitioner

Vs.

State rep by
The Inspector of Police,
Ammamet Police Station, Salem City,
Salem District.
(Crime No. 43 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.43 of 2026 on the file of the respondent police.

For Petitioner : Mr.B.Vasudevan

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 296(b), 329(3), 303(2), 351(2) of BNS, 2023 in Crime No.43 of 2026 on the file of the respondent police seeks anticipatory bail.



states that the petitioner had caused damage to the property of the defacto complainant to the tune of Rs.20,000/- and also committed theft of defacto complainant's vehicle. Though such contention has been raised, there was a previous complaint in the year 2022, and the same is not related to the current incident. Considering the nature of the allegations against the petitioner, at this length of time, the question of custodial interrogation does not arise and also considering the age of the petitioner, this Court is inclined to enlarge the petitioner on anticipatory bail with 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.5, Salem**, 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,



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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. and 5.30 p.m, for a period of eight 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

09.03.2026

DRL

To

1.The Judicial Magistrate No.5,
Salem.

2.The Inspector of Police,
Ammamet Police Station, Salem City,
Salem District.

3.The Public Prosecutor,
High Court of Madras.

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C.KUMARAPPAN.J.

DRL

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