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Crl.O.P.No.5776 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.5776 of 2026

Prasanth Ganesan

... Petitioner

Vs.

The State

Rep. by the Inspector of Police,  
Sankarapuram Police Station,  
Kallakurichi - District.  
(Crime No.93 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.93 of 2026 on the file of the respondent police.

|                |   |                                 |
|----------------|---|---------------------------------|
| For Petitioner | : | Mr.R.S.Maitreya                 |
| For Respondent | : | Mr.P.Dhileepan                  |
|                |   | Government Advocate (Crl. Side) |

### **ORDER**

The petitioner, who apprehends arrest for the alleged offence **under Sections 281 and 106(1) of the Bharatiya Nyaya Sanhita (BNS), 2023** (corresponding offence **under Sections 279 IPC and 304A IPC**) in **Crime No.93 of 2026**, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that on 21.02.2026 at around



2.40 p.m., when the petitioner was riding his two wheeler, he dashed against the two wheeler driven by the victim as a result, the victim succumbed to injuries. 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 he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate for 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 this is a case where the petitioner was charged for the offence under Section 279 and 304 IPC. Hence, 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.

6. From the submissions made by the learned Government Advocate



(Crl.Side), this is a case of road accident and therefore, the question of custodial interrogation does not require. Further taking into consideration of the societal position of the petitioner being an Engineer in a reputed IT company his abscondance is remote. Hence, 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, Sankarapuram**, 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



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of identify proofs to ensure their identity;

**(c) The petitioner shall sign before the respondent police daily 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 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,  
Sankarapuram.

2.The Inspector of Police,  
Sankarapuram Police Station,

4/6



Kallakurichi - District.

3. The Public Prosecutor,  
High Court of Madras.



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**C.KUMARAPPAN,J.,**

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