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Crl.O.P.No.6020 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.6020 of 2026

Gopi @ Gokulraj

... Petitioner

Vs.

State rep by
The Inspector of Police,
Attaiyampatti Police Station,
Salem District.
(Crime No. 23 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.23 of 2026 on the file of the respondent police.

For Petitioner : Mr.R.Venkatesulu

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, 2023 in Crime No.23 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The allegation against the petitioner is that during a funeral procession, the petitioner along with his friend, threw a flower garland on the defacto complainant's auto, which resulted in wordy quarrel between them.

During the course of the quarrel, the petitioner allegedly assaulted the defacto complainant with knife, thereby causing injuries to him. Hence, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He further submitted that the present complaint has been lodged only as a counter blast to the complaint already given by the petitioner in Crime No.24 of 2026. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the injured has been discharged from the hospital. 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 for the petitioner, it is seen that the occurrence took place during a funeral possession and there was a wordy quarrel between the petitioner and the defacto complainant with regard to the throwing of a flower garland on the defacto complainant's auto,



during which the petitioner attacked the defacto complainant with knife. It is also submitted that the present complaint has been lodged as a counter blast to the earlier complaint in Crime No.24 of 2026. From the submissions made by the learned Government Advocate(Crl.Side), it is seen that the petitioner had caused injuries to the defacto complainant. However, it is stated that the injured has been discharged from the hospital on the next day. Considering the above facts and circumstances of the case and also taking into consideration the fact that the injured has been discharged from the hospital, 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.4, 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



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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 Concerned Judicial Magistrate daily at 10.30 a.m. for a period of one month 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.4,
Salem.

2.The Inspector of Police,
Attaiyampatti Police Station,
Salem District.

3.The Public Prosecutor,
High Court of Madras.

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C.KUMARAPPAN.J.

DRL

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