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Crl.O.P.No.6077 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2026

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Crl.O.P.No.6077 of 2026

Vembarasan

... Petitioner

Vs.

State by Inspector of Police,
Vazhapadi Police Station,
Vazhapadi, Salem District.
(Crime No.64 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.64 of 2026 on the file of the respondent police.

For Petitioner : Mr.R.Nalliyappan
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) and 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023 corresponding offence under Sections 294(b), 324, 506 IPC in Crime No.64 of 2026**, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity there was



altercation between the defacto complainant and the petitioner in which, the defacto complainant sustained 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, would fairly submit that the defacto complainant has already been discharged from the hospital and that the first accused has also granted bail by the learned Judicial Magistrate, Vazhapadi on 13.02.2026. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

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

6. In such view of the circumstances, at this length of time no custodial interrogation of the petitioner is required. 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 District Munsif cum Judicial Magistrate, Vazhapadi**, 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., for a period of thirty days and thereafter, as and when required for interrogation;**

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(d) On breach of any of the aforesaid conditions, the



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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 District Munsif cum Judicial Magistrate,
Vazhapadi.

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

3.The Public Prosecutor,
High Court of Madras.

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