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CRL OP No. 6316 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6316 of 2026

1. Arjun. D

2. K.M.Devadas

..Petitioners

Vs

State Rep. By
Sub Inspector of Police
T-10, Manimangalam Police Station,
Tambaram. Cr.No. 73/2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to pass an order enlarging the petitioners/accused on bail in Cr.No. 73/2026 pending investigation on the file of the respondent, Inspector of Police, T-10 Manimangalam Police Station, Tambaram.

For Petitioner: Mr.A.Praveen

For Respondent: Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 26.02.2026 for the alleged offences under Sections 126(2), 296(b), 115(2), 109(1), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 25(1A) of the Arms Act, 1959, in Crime No.73 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 25.02.2026 at about 07.40 hours the defacto complainant, who was driving a mini-van from Vandalur to Oragadam, was allegedly blocked by the accused persons who came in a Toyota car. It is alleged that the first accused abused and assaulted the defacto complainant and the second accused threatened him by showing a revolver and attempted to shoot him. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the incident took place on 25.02.2026. According to the petitioners, while they were travelling along with each other in their car, the defacto complainant drove his mini van rashly and dashed against their vehicle. When the first petitioner questioned the same, the defacto complainant and others travelling in the van assaulted him and caused injuries. It is further submitted that the second petitioner is holding a valid licence for the revolver and he only showed the gun in order to prevent further attack and to protect his son. The learned counsel would also submit that the second petitioner is a senior citizen aged about 70 years and he is suffering from cancer and other ailments. Hence, he prays to grant bail to the petitioner.

4. The said factual position is not seriously disputed by the learned Government Advocate (Crl. Side) appearing for the respondent. Further, he



would submit that there is no injury sustained by the defacto complainant.

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5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. From the submission of the learned counsel on either side, this Court is of the view that in order to prevent the further attack from the defacto complainant and other, the second petitioner has only shown his gun. Further considering the fact that the second petitioner is a senior citizen aged about 70 years and is suffering from cancer and also taking into account that the defacto complainant has not sustained any injury and that the petitioners have been in incarceration since 26.02.2026, this Court is inclined to grant bail to the petitioners, subject to conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond each for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only), with two sureties for a like sum each to the satisfaction of the **learned Judicial Magistrate, Sriperumbudur**, and subject to the following conditions:

[a] 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 the identity proofs to ensure their identity;



[b] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of one week and thereafter as and when required for interrogation;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[f] if the petitioners thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



To

1. The Judicial Magistrate, Sriperumbudur.
2. The Central Prison, Puzhal, Chennai.
3. The Sub Inspector of Police, T-10, Manimangalam Police Station,
Tambaram.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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