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CRL OP No. 6429 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6429 of 2026

D.Dhanachezhiyan

..Petitioner

Vs

The State Rep. by the Inspector of Police,
Sunguvarchatram Police Station,
Kanchipuram District.
(Crime No.425/2025)

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.425 of 2025 on the file of respondent police.

For Petitioner:

Mr.P.Rajkumar Pandian

For Respondent:

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.01.2026 for the alleged offences under Sections 296(b), 115(2), 118(1), 351(3) of BNS Act, 2023 r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002 @ into 296(b), 115(2), 118(2), 109(1), 351(3) of BNS Act, 2023 r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002, in Crime No.425 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that there was a dispute between the petitioner and the defacto complainant, who are neighbours. It is alleged that on 25.12.2025, when the complainant's parents questioned the petitioner regarding drainage issue, the petitioner abused them, assaulted them and caused injuries. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated due to previous enmity between neighbours. The learned counsel would further submit that the petitioner has been in incarceration since 19.01.2026. It is also submitted that the injured has already been discharged and is now normal. The learned counsel would further contend that to substantiate the same, photographs have been produced before this Court. It is further submitted that no further custodial interrogation is required and the petitioner will cooperate with the investigation. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent opposed the bail application and submitted that the petitioner assaulted the defacto complainant and his family members and caused grievous injuries. It is further submitted that the offence is serious in nature and the injured had sustained injuries. However, it is fairly submitted that the injured has now been discharged from the hospital.



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

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6. From the submission of the learned counsel on either side, this Court is of the view that the petitioner has been in incarceration since 19.01.2026 and the injured has already been discharged. Though the learned Government Advocate (Crl.Side) opposed the bail on the ground of grievous injuries, the petitioner has placed materials to show that the injured has become normal. Notwithstanding the same, considering the long incarceration since 19.01.2026, this Court is of the view that investigation might have been completed and no more custodial interrogation of the petitioner is necessary. Hence, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond 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, Sriperumbadhur**, 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 petitioner is directed to stay at Thiruvallur and report before the Inspector of Police, B2, Thiruvallur Taluk Police Station, Thiruvallur twice a day at 10.30 a.m. and 05.30 p.m. for a period of one month and thereafter report before the respondent police as and when required for interrogation;

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

[d] the petitioner 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 petitioner 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, Sriperumbadhur
2. Central Prison, Vellore.
3. The Inspector of Police, Sunguvarchatram Police Station,
Kanchipuram District.
4. The Inspector of Police, B2, Thiruvallur Taluk Police Station
5. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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