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CRL OP No. 6691 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6691 of 2026

M.Mugilan

..Petitioner

Vs

State rep.by
The Inspector of Police,
Thiruverkadu Police Station,
Avadi City.
Crime No.83 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 the arrest or surrender in Cr.No.83 of 2026 on the file of the respondent police.

For Petitioner: Mr.S.N.Malik Saleem

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), 324(4) and 351(3) of BNS Act, 2023 in Crime No.83 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons attacked the defacto complainant broke his mobile phone, abused him in filthy language and criminally intimidated him with life threat. Hence, the case was registered.



3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner has not committed any overt act as alleged in the FIR and the case has been foisted against him. The learned counsel would further submit that A2 and A3 have already been released on bail by the learned Judicial Magistrate No.II, Poonamallee on 12.03.2026 in Crl.M.P.No.518 of 2026. The learned counsel would further contend that the petitioner is ready to cooperate with the investigation and abide by any conditions imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police strongly opposed the anticipatory bail application to the petitioner on the ground that A1 is still absconding and the petitioner has played a role in the occurrence by attacking the defacto complainant with the handle of a knife. However, it is fairly submitted that the injured has already been discharged from the hospital on 05.03.2026.

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

6. Considering the submission of the learned counsel on either side, it is seen that the co-accused have already been released on bail on 12.03.2026 in



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CrI.M.P.No.518 of 2026. It is further seen that the overt act attributed to the petitioner is that he attacked the complainant with the handle of a knife and the injured has already been discharged from the hospital. Considering the parity with co-accused, nature of overt act and the fact that the injured has been discharged, this Court is of the view that no custodial interrogation of the petitioner is required. Therefore, this Court is inclined to grant anticipatory bail to the petitioner, subject to 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. II, Poonamallee**, 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 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 respondent Police, everyday at 10.30 a.m., for a period of 30 days 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.

23-03-2026

NSL

To

1. The Inspector of Police, Thiruverkadu Police Station, Avadi city.
2. The Public Prosecutor, High Court of Madras.
3. The Judicial Magistrate II, Poonamalle.



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C.KUMARAPPAN, J.

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