



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No.7109 of 2026

Arasakumaran
S/o.Perumal Pillai,
2/31 Perumal Kovil Street,
Pidamaneri,
Dharmapuri District.

...Petitioner/Single
Accused

Vs

State rep. by, Inspector of Police,
Vazhapadi Police Station,
Salem.
Cr.No.89 of 2026.

...Respondent/
Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on Anticipatory bail in the event of the arrest in connection with the Crime.No.89 of 2026, on the file of the Inspector of Police, Vazhapadi Police Station, Salem.

For Petitioner:

Ms.D.Jeevitha

For Respondent:

Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner/A2, who apprehends arrest for the alleged offences **under Sections 296(b), 118(1) and 351(2) of the Bharatiya Nyaya Sanhita (BNS),**



2023, in Crime No.89 of 2026, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that due to previous enmity, the petitioner/A2 abused the *de-facto* complainant in filthy language and assaulted him with stones. Due to this, the *de-facto* complainant sustained injuries and was admitted to the hospital. Hence, the case.

3. The learned counsel for the petitioner/A2 submitted that the petitioner is innocent and he has not committed any offence as alleged by the *de-facto* complainant and he has been falsely implicated in this case. He further submitted that the injuries sustained by the *de-facto* complainant are simple in nature and he has been discharged from the hospital, and there is also a counter case against the *de-facto* complainant. He also submitted that the petitioner is a senior citizen and he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to cooperate 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, submitted that there is a case registered against the *de-facto* complainant in



Crime No.88 of 2026; and that the occurrence took place on 26.02.2026 and the injured was discharged from the hospital on 28.02.2026. However, 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. Considering the fact that the said case is a case in counter and that the *de-facto* complainant has already been discharged from the hospital and upon the fact that the occurrence took place on 26.02.2026, by this time, the investigation might have been completed and no custodial interrogation of the petitioner is required and apart from that, the petitioner being a senior citizen of 65 years old, this Court would like to consider his anticipatory bail application positively. 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 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 report before the respondent police, twice a day at 10.30 a.m., and 5.30 p.m., for a period of thirty (30) days and thereafter, as and when required for the 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.

DK

18-03-2026



To

1. The Judicial Magistrate,
Vazhapadi.

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

3. The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN, J.

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