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Crl.O.P.No.7512 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2026

CORAM

THE HON'BLE DR. JUSTICE C.KUMARAPPAN

Crl.O.P.No.7512 of 2026

Mr.Viswanathan Gurusamy

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Selvapuram Police Station,
Coimbatore City,
Coimbatore.
Crime No.Not Known of 2026

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail
in the event of his arrest in connection with the Crime No.Not Known of
2026 on the file of the respondent police.

For Petitioner : Mr.M.Dinesh

For Respondent : Mr.P.Dhileepan,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Sections 329(3), 324(4), 296(b),
1/6



Crl.O.P.No.7512 of 2026

115(2), 118(2) and 351(3) of BNS Act, 2023, in Crime No. Not Known of 2026, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 14.06.2025, at about 02.00 p.m., when the de facto complainant was staying in an estate shed situated in Survey No.594/1B at Perur Road, the accused persons unlawfully entered into the said property, demolished the estate garden gate and, on being questioned, assaulted the de facto complainant by kicking him on his stomach and back of the neck and attacked him with their hands, stating that the property belongs to one Deepa Vishwanathan. In connection with the said occurrence, a case in Crime No. Not Known of 2026 has been registered.

3. The learned counsel appearing for the petitioner submitted that the occurrence took place in the month of June 2025 and that the complaint has been registered only in the year 2026. He further submitted that the petitioner is innocent, has been falsely implicated and is ready to abide by any conditions that may be imposed by this Court and sought anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police strongly objected to the above contention and submitted



Crl.O.P.No.7512 of 2026

that the injury sustained by the de facto complainant is simple in nature and that, according to the prosecution, the occurrence took place in furtherance of a wordy quarrel between the accused and the de facto complainant.

5. Considering the above submissions and the fact that the occurrence took place in the month of June 2025, whereas the complaint has been registered only in the year 2026, and having regard to the lapse of time, this Court is of the view that no custodial interrogation is required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to the following conditions:

6. 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.V, Coimbatore**, 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



CrI.O.P.No.7512 of 2026

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 daily 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.

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To

1.The Judicial Magistrate No.V, Coimbatore.

2.The Inspector of Police,
Selvapuram Police Station,
Coimbatore City,
Coimbatore.

3.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.7512 of 2026

C.KUMARAPPAN, J.

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Crl.O.P.No.7512 of 2026

30.03.2026