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CRL OP No. 8603 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8603 of 2026

Srinivasan @ Rikish
343, Kasuthuri Bai Street,
Salem, Kitchipalayam (Po),
Salem - 636015.

..Petitioner(s)

Vs

The State rep. By, The Inspector of police
Salem Town Police station,
Salem District.
(Crime No. 28 of 2026)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No. 28 of 2026 on the file of the respondent police and thus render justice.

For Petitioner(s):

M/s.Franklin J

For Respondent(s):

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

ORDER

The petitioner apprehends arrest for the alleged offence under Section 144, 294(b), 324, 307 of IPC (corresponding sections 189(4), 296(4), 118(1) and 109 of BNS) in Crime No.28 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that on 11.02.2026 at about 11.00 p.m., when the de facto complainant, his brother, and one Ibrahim were standing near Kupta Sweets, situated near Sivasakthi Coffee Bar, A1 Roshan and the petitioner came there on a two-wheeler. After a brief altercation, they abused the de facto complainant and others in filthy language and assaulted them. Thereafter, A1 and the petitioner called the other accused over the phone, and when they arrived, all of them joined together and assaulted the de facto complainant with stones, wooden logs, and hands, and attempted to kill him. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that this is a case and counter-case. According to him, the altercation took place in a tea shop, and both the de facto complainant and the petitioners sustained injuries by the use of wooden logs and stones. He further submitted that the injured persons have been discharged from the hospital. He also submitted that the co-accused (A6 to A8) were granted anticipatory bail on 02.04.2026 in CrI.O.P.No.8254 of 2026, and one Nirmal Kumar was also granted anticipatory bail on 02.03.2026 in CrI.O.P.No.5216 of 2026. Apart from that, A1 and A2, who were arrested on 12.02.2026, have also been granted bail. Hence, he seeks the grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Criminal Side), appearing for the respondent police, reiterated the prosecution case and submitted that the injured has been discharged from the hospital and that there are no previous cases against the petitioner. However, he opposed the grant of anticipatory bail to the petitioner.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

6. Taking into consideration the totality of the circumstances, including the fact that the co-accused have been released either on bail or anticipatory bail, and further considering that the occurrence took place on 11.02.2026, custodial interrogation of the petitioner is not required. Hence, 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 her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-I, Salem**, 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, twice daily at 10.30 a.m., and 05.30 p.m., for a period of two weeks 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.

MPA

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To

1. The Judicial Magistrate-I, Salem.

2. The Inspector of police
Salem Town Police station,
Salem District.
(Crime No. 28 of 2026)

3. The Public Prosecutor, High Court, Madras.



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C.KUMARAPPAN, J.

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