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Crl.O.P.No.9373 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.9373 of 2026

Gandhi

... Petitioner

Vs.

State represented by
The Inspector of Police,
Melpatti Police Station,
Melpatti, Vellore District.
Crime No.107 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of his arrest by the respondent police in the above Cr.No.107 of 2025 on the file of the respondent.

For Petitioner : Mr.T.Saravanan
For Respondent : Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 109(1), 31(3) of BNS and Section 4 of TNWH Act, in Crime No.107 of 2025 on the file of the respondent police seeks anticipatory bail.



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2. The allegation against the petitioner is that due to previous enmity, petitioner along with other accused assaulted the defacto complainant with knife, due to which, defato complainant sustained injuries. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition that may be 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 reiterated the prosecution case and submitted that, injured has been discharged from the hospital, however taken treatment for 7 days.

5. Considering the fact that the injured has been discharged from the hospital and the FIR has been registered during the year 2025, this Court is of the view that for the offence of this nature, custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner.



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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, Gudiyatham**, on condition that **the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 daily at 10.30 a.m., for a period of 15 days and thereafter as and when required;

(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



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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.

16.04.2026

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To

1. Judicial Magistrate, Gudiyatham
2. The Inspector of Police,
Melpatti Police Station,
Melpatti, Vellore District.
3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN.J.

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