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CRL OP No. 9009 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9009 of 2026

R Vigneshwaran

..Petitioner

Vs

State by,
The Inspector of Police,
Grand Bazar Police station,
Pondicherry- 605001.
Crime No. 0044 / 2026

..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 arrest on the complaint lodged by the de facto complainant in Crime No. 0044 of 2026 on the file of respondent police.

For Petitioner:

Mr.S. Jeyakumar

For Respondent:

Mr.V.Ramachandra Murthy
Public Prosecutor (Puducherry)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 329(4), 296(b), 115(2) and 351(2) of BNS in Crime No.0044 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the petitioner and de facto complainant are husband and wife, there is matrimonial discord between them.

The petitioner went to the place of the de facto complainant and threatened her with dire consequences. Hence, this complaint.

3. The learned counsel for the petitioner submitted that the entire contestation has arisen out of matrimonial discord between the petitioner and the de facto complainant. He further submitted that the petitioner was innocent and that he has been falsely implicated in this case. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4. At this juncture, the learned Public Prosecutor submitted that on the fateful day, the petitioner entered into the de facto complainant's commercial shop and threatened the de facto complainant and also caused her injury and damaged a laptop. He further submitted that though the de facto complainant sustained injury, the injured person has been discharged from hospital. However, he opposed to grant anticipatory bail to the petitioner.

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



6. Considering the facts and circumstances of the case and taking into consideration of the totality of the circumstances and the issue is between the husband and wife and fact that the de facto complainant has sustained only simple injury, 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 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-1, Tindivanam**, 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;



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(c) The petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of fifteen 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.

17-04-2026

SHL

To:

1. The Judicial Magistrate-1,
Tindivanam

2. The Inspector of Police,
Grand Bazar Police station,
Pondicherry- 605001.

3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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