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Crl.O.P.No.8107 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.8107 of 2026

M.Kombiah, S/o.Malai

... Petitioner

Vs.

The State, rep. by
The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to grant anticipatory bail in event of arrest by the respondent police in crime No.528/2025 on the file of the Dharapuram Police Station, Tiruppur District, for alleged offences under Sections 296(b), 115(2), 351(2) of BNS and Section 4 of TNPHW act.

For Petitioner : Mr.I.M.D.Arif
For Respondent : Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 351(2) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.528 of 2025, on the file of the respondent Police, seeks anticipatory bail.



2. The case of the prosecution is that there was a previous money dispute between the petitioner and the de-facto complainant. In view thereof, the petitioner assaulted the de-facto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the co-accused has already been released on bail. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and would fairly submit that the co-accused was already released on bail and the injured has also been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the totality of the circumstances and on the fact that the co-accused was already released on bail and also taking note of the fact that the FIR was registered on 06.11.2025, this Court is of the view that, at this length of time, the custodial interrogation of the petitioner is not required. Hence, this



Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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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, Dharapuram**, 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, daily twice at 10.30 a.m. and 5.30 p.m for a period of 15 days;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate



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Crl.O.P.No.8107 of 2026

C.KUMARAPPAN, J.

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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.

01.04.2026

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To

- 1.The Judicial Magistrate, Dharapuram.
- 2.The Inspector of Police, Dharapuram Police Station, Tiruppur District.
- 3.The Public Prosecutor, High Court of Madras.

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