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CRL.OP.No.8505 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL.OP.No.8505 of 2026

Mohammed Rizwan

...Petitioner

Vs

State of Tamil Nadu represented by
The Sub-Inspector of Police
Bagayam Police Station
Vellore District.
(Crime No.89 of 2026)

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent police in Crime No.89 of 2026 on the file of the respondent police.

For Petitioner(s): Mr.M.R.Thangavel

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

ORDER

The petitioner, who apprehends arrest for the alleged offence **under Sections 296(b), 118(1) and 351(2) of BNS, 2023 (corresponding to Sections 294(b), 324 & 506(i) of Indian Penal Code)**, in **Crime No.89 of 2026**, on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that on 19.03.2026 while driving, the petitioner accidentally hit the defacto complainant's two-wheeler, due to which a wordy quarrel arose and the petitioner caused grievous hurt by hand and also intimidated him. Due to the injuries sustained the defacto complainant was admitted and later discharged from hospital. Hence, the case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that when the petitioner drove the vehicle on **19.03.2026** there was a wordy quarrel between the petitioner and the defacto complainant, which resulted in filing of false complaint against him and he is ready to abide by any stringent conditions 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 would submit that the defacto complainant was admitted in the hospital and the injured has been discharged on 20.03.2026. However, he opposed to grant anticipatory bail to the petitioner.



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

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6. From the submissions of either side, it comes to the light that the entire issue arose due to the road accident. Taking into consideration the totality of the circumstances and nature of the occurrence and discharge of the defacto complainant and apart from that since the occurrence is on 18.03.2026, at this length of time, no custodial interrogation of the petitioner is required in such type of offences. Hence, this Court is inclined to enlarge him 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 days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-I, Vellore**, 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 at 10.30 a.m., for a period of fifteen days (15) 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.

dna

06.04.2026



To
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1.The Judicial Magistrate-I, Vellore.

2. The Public Prosecutor,
High Court, Madras.

3.The Sub-Inspector of Police
Bagayam Police Station
Velllore District.
(Crime No.89 of 2026)



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C.KUMARAPPAN, J.

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