



WEB COPY

CRL OP No. 8720 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. 8720 of 2026

Elavarasan

..Petitioner

Vs

State Rep.by,
The Inspector of Police,
Walajabad Police Station,
Kancheepuram District.
Cr.No.32/2026

..Respondent

Prayer: Criminal Original Petition filed under section 482 of BNSS to enlarge the Petitioner on anticipatory bail in the event of his arrest by the respondent police in respect of the Crime No.32 of 2026 on the file of the Inspector of Police, Walajabad Police Station, Kancheepuram District.

For Petitioner:

Mr.Mubeen M

For Respondent:

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

ORDER

The petitioner apprehends arrest for the alleged offence under Section 194 of BNSS 2023 altered to 108 of BNS 2023 in Crime No.32 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the petitioner along with his wife abused the deceased in filthy language, due to which the deceased person has committed suicide. Hence, this case.

3. The learned counsel for the petitioner submitted that the deceased has caused sexual assault upon the petitioner's uncle daughter and in this connection, the petitioner's mother has given a complaint to the Police on 06.02.2026. 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 Government Advocate (Crl.Side) submitted that the said complaint was enquired and subsequently closed and in furtherance thereof, there was some wordy quarrel. He further submitted that the deceased died on 10.02.2026 and the complaint came to be registered on 12.02.2026.

5. It is the submission of the learned counsel for the petitioner that the complaint came to be filed against this petitioner only on account of the wreck



vengeance against the petitioner, as the petitioner mother had given complaint against the deceased.

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6. The learned Government Advocate (Crl.Side) has produced the dying declaration of the victim wherein it is stated that since the petitioner had scolded the deceased by referring about the fact that he has no children for nearly five year, he has committed self-immolation. Hence, 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 the totality of the circumstances and the allegation raised against this petitioner in dying declaration and further that the complaint came to be registered on 12.02.2026 for the occurrence took place on 09.02.2026, this Court is of the view that at this length of time, custodial interrogation of the petitioner is not required. Hence, 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 Court No.II, Kancheepuram**, 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, everyday at 10.30 a.m., for a period of thirty 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.

07-04-2026

SHL

To:

1. The Judicial Magistrate Court No.II,
Kancheepuram
2. The Inspector of Police,
Walajabad Police Station,
Kancheepuram District.
3. The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN J.

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