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CRL.OP.No.8521 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.8521 of 2026

Sibi Arasu

...Petitioner

Vs

State rep by its
The Inspector of Police
Dharapuram Police Station
Tiruppur District.
(Crime No.0107 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 his arrest in Crime No.0107 of 2026 pending on the file of the respondent.

For Petitioner(s): Mr.V.Elangovan

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

ORDER

The petitioner, who apprehends arrest for the alleged offence **under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, in Crime No.0107 of 2026**, on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that there was a wordy quarrel between the defacto complainant and A2 near a TASMAC Shop and it is alleged that 1st and 3rd accused came to the place of occurrence and A1 is said to have attacked the defacto complainant on his head with a brandy bottle. Thereafter, the other accused are alleged to have caused injuries by using a stone and by physically assaulting him and A1 abused the defacto complainant in filthy language and issued life threats. 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 the petitioner 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 assaulted by this petitioner along with two accused in a liquor bottle and thereby the defacto complainant sustained injury and discharged from the hospital. The injury sustained by the defacto complainant is only simple in nature. He would also fairly submit that this petitioner has no previous case against him. 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. Taking into consideration of the totality of circumstances and the fact that the petitioner has got clean antecedents and upon the further fact that the injured has been discharged from the hospital, at this length of time, no custodial interrogation of the petitioner is required. 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, 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



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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.

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06.04.2026



To
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- 1.The Judicial Magistrate, Dharapuram.
2. The Public Prosecutor,
High Court, Madras.
- 3.The Inspector of Police
Dharapuram Police Station
Tiruppur District.
(Crime No.0107 of 2026)



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C.KUMARAPPAN, J.

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