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Crl.O.P.No.9671 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.9671 of 2026

Abiby Rahman alias Habbebn Rahman

... Petitioner

Vs.

State represented by
The Inspector of Police,
Udumalpet Police Station,
Tiruppur District.
Crime No.44 of 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 his arrest by the respondent police in the above Cr.No.44 of 2026 on the file of the respondent.

For Petitioner : Mr.R.Kannan
For Respondent : Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 296(b), 115(2), 126(2), 133, 351(3) of BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.44 of 2026 on the file of the respondent police seeks anticipatory bail.



Crl.O.P.No.9671 of 2026

2. The allegation against the petitioner is that A1 is the husband of the defacto complainant. It is alleged that on the date of occurrence, when the defacto complainant was traveling in the car, petitioner waylaid and damaged the car and later she tried to get into the bus, petitioner pulled her and attacked her. Hence, the case.

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 petitioner is ready to abide by any stringent condition 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 reiterated the prosecution case and submitted that the injured was discharged from the hospital. He further submitted that the co-accused was arrested and released on bail. However, he opposed for grant of anticipatory bail to the petitioner.



Crl.O.P.No.9671 of 2026

5. Taking into consideration of the fact that the case arises out of matrimonial dispute and upon the fact that the injured was already discharged from the hospital and upon the fact that the co-accused were arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner.

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 No.I, Udumalpet** on condition that **the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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;



Crl.O.P.No.9671 of 2026

(c) The petitioner shall stay at Sivagangai and report before the Inspector of Police, Sivagangai Town Police Station daily at 10.30.a.m., for a period of two weeks and thereafter as and when required;

(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

sma

To

1. Judicial Magistrate No.I, Udumalpet
- 2.The Inspector of Police,
Udumalpet Police Station,
Tiruppur District.
- 3.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.9671 of 2026
C.KUMARAPPAN.J.

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Crl.O.P.No.9671 of 2026

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