



WEB COPY

CRL OP No. 8859 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8859 of 2026

Venkatesan

..Petitioner

Vs

The State Rep.by,
The Inspector of Police,
Karumalaikudal Police Station,
Salem District.
Cr.No.109 of 2026.

..Respondent

Prayer: Criminal Original Petition filed under section 482 of BNSS to enlarge the petitioner on bail in the event of arrest in crime No.109 of 2026 on the file of the Respondent.

For Petitioner:

C.Deepakkumar

For Respondent:

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 132, 351(2) of BNS and Section 4 of TNPHW Act, 2002 in Crime No.109 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant is the Headmaster in a school. The petitioner has intimidated the differently abled



Headmaster over phone with dire consequences and in furtherance thereof the present FIR has been registered.

WEB COPY

3. The learned counsel for the petitioner 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. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and strongly opposed the bail application and submitted that the conduct of the petitioner has to be viewed seriously as he has misused the position of a Panchayat Ward Councilor and intimidated a public servant. Hence, 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.

6. Considering the facts and circumstances of the case, the said submission of the learned Government Advocate (Crl.Side) cannot be lightly ignored. However, the fact to be considered is whether any custodial interrogation is



required. Taking into consideration of the nature of allegation, this Court is of the firm view that custodial interrogation of the petitioner is not required.

However, this Court is inclined to enlarge the petitioner on anticipatory bail on certain stringent 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-II, Mettur**, 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 is directed to deposit a non-refundable sum of Rs.1,00,000/- (Rupees One Lakh only)**



through Demand Draft in favour of the “The Headmaster, Pudusampalli Government Higher Secondary School, Pudusampalli, Mettur Taluk, Salem District”. The Demand Draft shall be handed over to the Assistant Educational Officer, Salem District.

(d) On receipt of such amount, the Headmaster, Pudusampalli Government Higher Secondary School, Pudusampalli, Mettur Taluk, Salem District is directed to utilise the said amount for the welfare of the School.

(e) The petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of one week and thereafter, as and when required for interrogation;

(f) 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]*;

(f) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

SHL

08-04-2026



To:

1. The Judicial Magistrate-II,
Mettur

2. The Inspector of Police,
Karumalaikudal Police Station,
Salem District.

3. The Assistant Educational Officer,
Salem District.

4. The Headmaster,
Pudusampalli Government Higher Secondary School,
Pudusampalli, Mettur Taluk, Salem District

5. The Public Prosecutor
High Court of Madras



WEB COPY

CRL OP No. 8859 of 2



C.KUMARAPPAN J.

SHL

CRL OP No. 8859 of 2026

08-04-2026