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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MR. JUSTICE C.KUMARAPPAN

CRL OP No. 9358 of 2026

Abisheak

..Petitioner(s)

Vs

State Rep. by,
The Inspector of Police,
M-1 Madhavaram Police Station,
Cr.No.124 of 2026.

..Respondent(s)

Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on bail in the event of his arrest pending investigation in M-1, Madhavaram Police Station PS Cr.No.124 of 2026 on the file of the respondent.

For Petitioner(s): Mr.Sankar Ganesh.B

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for offences punishable under Sections 296(b) and 115(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women (Amendment) Act, 2002, in Crime



No.124 of 2026, seeks anticipatory bail.

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2. The case of the prosecution is that on 24.02.2026 at about 19:30 hours, the defacto complainant lodged a complaint alleging that the petitioner attacked her and her mother while they were walking near a park. It is further alleged that the assault stemmed from a soured relationship, as the defacto complainant had recently distanced herself from the petitioner. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner is a law-abiding citizen with no bad antecedents and that, in any event, the investigation is nearing completion and custodial interrogation is not required. He also undertakes that the petitioner shall cooperate with the investigation and abide by any conditions imposed by this Court.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail, reiterated the prosecution's case and, on instructions, submitted that the petitioner and the de facto complainant were in a relationship for four years. He further submitted that following a misunderstanding, the petitioner allegedly attacked the complainant and her mother; the de facto complainant was subsequently admitted to the hospital and has since been discharged. He also confirmed that



the petitioner has no previous bad antecedents.

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5. Considering the nature of the allegations, the fact that the petitioner has no prior criminal record, and taking note of the fact that the injured person has been discharged from the hospital, this Court is of the view that custodial interrogation is not required for the purpose of investigation. Consequently, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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, Madhavaram, 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(s) 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



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(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(s) shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner(s) in accordance with law as if the conditions have been imposed and the petitioner(s) 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(s) thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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- 1.The Judicial Magistrate, Madhavaram.
- 2.The Inspector of Police, M-1 Madhavaram Police Station.
- 3.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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