



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 10103 of 2026

Gunasekaran

..Petitioner

Vs

State represented by
The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam District.
(Crime No.Not known of 2026)

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner / Accused on anticipatory bail in the event of arrest in Crime No.Not known of 2026 on the file of the respondent police.

For Petitioner:

Mr.T.Gokulakrishnan

For Respondent:

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 296(b), 119(2), 130 BNS Act and sections 329(4), 294(b) and 351(3) IPC in Crime No.Not known of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the petitioner along with others have assaulted and caused injury to the de facto complainant. Hence, this complaint.

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3. The learned counsel for the petitioner submitted that de facto complainant is none other than the daughter in law of the petitioner. 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. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that on the date of occurrence, the petitioner went to the de facto complainant place who is a dumb person and assaulted the de facto complainant and in furtherance thereof de facto complaint sustained injury and was hospitalised for a period of 8 days. However, he fairly admitted that the injured has been discharged from hospital. 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.



6. Considering the facts and circumstances of the case and taking into consideration of the factual position that the petitioner who is father-in-law of the de facto complainant and upon the fact that injured got discharged from hospital, 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 cum Magistrate Court, Nagapattinam**, 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 stay at Trichy and report before the Inspector of Police, Thillai Nagar Police Station, Trichy, everyday at 10.30 a.m., for a period of two weeks and thereafter report before the respondent police 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.

22-04-2026

SHL

To:

1. The Judicial cum Magistrate Court,
Nagapattinam

2. The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam District.

3. The Inspector of Police,
Thillai Nagar Police Station, Trichy

4. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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