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CRL OP No. 10997 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

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THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 10997 of 2026

A.Moorthy

..Petitioner(s)

Vs

State by:-

Inspector of Police,
Karumandurai Police Station,
Salem District.
Cr.No.35 of 2026.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of BNSS, seeking to enlarge the petitioner on bail in the event of his arrest or surrender in connection with the case in Crime No.35 of 2026, pending on the file of the respondent police.

For Petitioner(s): Mr.Ajithkumar Kumaravel

For Respondent(s): Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1) and 351(3) of BNS, 2023 in Crime No.35 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that, due to a wordy quarrel between



the petitioner and the de facto complainant, the petitioner attacked the de facto complainant with stones. Hence, the case.

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3. Learned counsel for the petitioner submitted that the petitioner is innocent and has not committed any offence as alleged by the prosecution. He further submitted that there is no previous case pending against the petitioner. He also submitted that the petitioner is ready to abide by any stringent conditions imposed by this Court. Hence, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent, reiterated the prosecution case and submitted that the petitioner attacked the de facto complainant using stones resulting in the de facto complainant sustaining injuries. He further submits that the petitioner has no previous case against the petitioner. Hence, he vehemently opposed the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side, nature of offences, injured was discharged from the hospital and also



considering the fact that there are no previous cases pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner on 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 of receipt of a copy of this order, before the **Judicial Magistrate No.II, Attur**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police every Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Inspector of Police,
Karumandurai Police Station,
Salem District.
Cr.No.35 of 2026.

2. The Judicial Magistrate-II, Attur.

3. The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J.

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