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CRL OP No. 10853 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 10853 of 2026

Arun Kumar

..Petitioner(s)

Vs

State by
Inspector of Police
Walajabad Police Station,
Kancheepuram-6310605.
(Crime No. 98/2026)

..Respondent(s)

Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge petitioner on bail in the event of his arrest by the respondent police pending investigation in Crime No. 98 of 2026 on the file of respondent police and thus render justice.

For Petitioner(s): Mr.S.Dheerendran

For Respondent(s): Mr.P.Dhileepan
Govt.Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for offences punishable under Sections 126(b), 296(b), 115(2), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023, read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women (TNPHW) Act, in Crime



No. 98 of 2026, seeks anticipatory bail.

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2. The learned counsel for the petitioner, pleading innocence on the part of the petitioner and false implication in the case, seeks the indulgence of this Court. He would submit that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that the defacto complainant was the one who provoked and attacked the petitioner, and the petitioner's actions were purely in self-defence. He would also submit that the petitioner is a law-abiding citizen and is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing the grant of anticipatory bail, is that the petitioner, in an intoxicated state, along with other accused persons, assaulted the defacto complainant and used obscene words against a woman and caused grievous injury to the defacto complainant.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent and perused the materials available on record.



5. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side, and considering the nature of the allegations, 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 days from the date on which the order copy is made ready, before the learned Judicial Magistrate-II, Kanchipuram, 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 that:

[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 suretyship (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 report before the respondent police daily at 06.30 p.m., until further orders;

[d] The petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] The petitioner shall make himself available for interrogation by a Police officer as and when required;

[f] The petitioner shall give an undertaking that if required to be identified by witnesses during investigation or for Police custody beyond the first fifteen days, he will comply to the directions as may be given by the Court in this regard;

[g] The petitioner shall not abscond either during investigation or trial;

[h] 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 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];

[i] If the petitioner thereafter absconds, a fresh FIR can
be registered under Section 269 of BNS Act.

28-04-2026

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

Jeni

To

- 1.The Judicial Magistrate-II, Kanchipuram.
- 2.The Inspector of Police, Walajabad Police Station, Kancheepuram-6310605.
- 3.The Public Prosecutor, High Court of Madras, Chennai.



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A.D.JAGADISH CHANDIRA, J.

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