



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-05-2026

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THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL OP No. 11752 of 2026

Kalaiyarasan

..Petitioner(s)

Vs

State represented by,
The Inspector of Police,
Palacode Police Station,
Dharmapuri District.
(Crime No. 26 of 2026)

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C / Section 482 of BNSS Act, seeking to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.26 of 2026 on the file of the Respondent police.

For Petitioner(s): Mr.K.Balakrishnan

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 191(2), 191(3), 296(b), 118(1) & 351(3) of BNS Act, subsequently the sections were altered to Sections 191(2), 191(3), 296(b), 118(1), 351(3) & 109(1) of BNS Act, 2023, in Crime No.26 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that on 17.01.2026, at about 10.30p.m., the accused persons, along with others, allegedly formed an unlawful assembly armed with sticks and rods, assaulted the de-facto complainant and another person causing injuries, and threatened them with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and 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 with the 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 objected for the grant of anticipatory bail.

5. Considering the fact that the injured has been discharged from the hospital, this petition may be considered positively with a stringent condition. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.



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6. Accordingly, the petitioner is ordered to be released on anticipatory 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 made ready, before **the learned Judicial Magistrate Court, Palacode** on condition that **the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)**, with **two sureties** 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 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 petitioner shall deposit a sum of Rs.10,000/-(Rupees Ten Thousand only) (Non refundable) to the CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA), Dr.S.Krishnamurthi Campus, Sardar Patel Road, Chennai-36, bearing SB Account No.149710011005477, IFS Code No.ANDB0001497, Branch Name and Code 1497, MICR No.600011049 and to produce the Bank Challan before the Judicial Magistrate Court, Palacode and the receipt shall be produced at the time of executing the bond;**



(c) 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;

(d) The petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter 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.

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To.

- 1.The Judicial Magistrate Court, Palacode
2. The Inspector of Police,
Palacode Police Station,
Dharmapuri District.
- 3.The Public Prosecutor,
High Court of Madras, Chennai 600 104.



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L.VICTORIA GOWRI, J.

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