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CRL OP No. 11688 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-05-2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL OP No. 11688 of 2026

Alagu@ Thambidurai

..Petitioner

Vs

The State rep by,
The Inspector of Police,
Karumalaikudal Police Station,
Salem District.
(Crime No.145 of 2026)

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.145 of 2026 on the file of the Respondent.

For Petitioner: Mr.C.Deepakkumar

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

ORDER

Apprehending arrest in connection with Crime No.145 of 2026 registered for the offences punishable under Section 296(b), 119(1), 109(1) of BNS Act, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that following a verbal altercation between the petitioner and the defacto complainant, the petitioner and the co-accused attacked the defacto complainant and threatened him with dire consequences.



3. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the defacto complainant has lodged a false complaint against the petitioner due to prior enmity. The learned counsel would further contend that the petitioner will not abscond and is ready to abide by any condition imposed by this Court. Hence, he prayed for granting anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution's case and submitted that the injured has since been discharged from the hospital and that there are five previous cases pending against the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice to his defence and contentions, is ready and willing to deposit an amount of Rs.5,000/- as a non-refundable deposit towards philanthropic activities. Hence, he prayed for the grant of anticipatory bail to the petitioner.

6. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the



materials available on record.

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7. Taking into consideration the facts of the case and also on considering the voluntary submission made by the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the certain conditions:

8. Accordingly, the petitioner is directed to make a non-refundable deposit of **Rs.5,000/- (Rupees Five Thousand only) (Non refundable) towards the account of “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”,** without prejudice to his rights and contentions before the trial Court. It is made clear that merely because the petitioner deposits the said amount, it would not amount to admission of his guilt. Therefore, it is open to the trial Court to deal with the case independently. On such deposit and production of proof, 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, Mettur**, on condition that the petitioner executes 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 his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of two 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;

[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 is 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

NSL/SHL

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To

1. The Inspector of Police,
Karumalaikudal Police Station,
Salem District.

2. The Public Prosecutor
High Court of Madras.

3. The Judicial Magistrate – II, Mettur.



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L.VICTORIA GOWRI, J.

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