



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-05-2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL OP No. 11873 of 2026

1. Nithish Kumar
S/o Perumal,
No.82A, Moogambigai Street,
Melmaruvathur,
Keeimaruvathur,
Kancheepuram-603319
2. Surya
S/o Sugumar,
No 27 C Block,
Kothaavalchavadi Street,
West saidapet,
Chennai 600 015

..Petitioner(s)

Vs

State by, The Inspector of Police,
R-6 Kumaran Nagar Police Station,
Jafferkhanpet,
Chennai 600 083.
Cr.No.80 of 2026.

..Respondent(s)

CRL OP No. 11873 of 2026

To grant anticipatory bail to the Petitioner in the event of her arrest by the respondent police in Crime No. 80 of 2026 on the file of the respondent/ complainant i.e. on the file of The Inspector of Police, R-6 Kumaran Nagar Police Station, Chennai.

CRL OP No. 11873 of 2026

For Petitioner(s):

Mohanraj S

For Respondent(s):

Mr.A.Gopinath,
Government Advocate (crl.side)



ORDER

The petitioner apprehends arrest for the alleged offence under Sections 126 (2), 296(b), 115(2), 118(1), 109 and 351(3) of BNS Act 2023 in Crime No.80 of 2026 on the file of the respondent police seek anticipatory bail.

2. The prosecution case is that due to a prior quarrel, the petitioner and others attacked the defacto complainant and caused injuries. Hence the case.

3. The learned counsel for the petitioner submitted that The other petitioner / accused was arrested and remanded to judicial custody on 06.04.2026 in Crime No. 162 of 2026 n the file of the respondent police sought to secure him through the prisoner. Transfer warrant dated 09.04.2026 which was challenged before the learned principal Sessions judge in Crl.MP.No. 4029/2026. He further submitted that the petitioner is falsely implicated, the main overt acts are attributed to other accused, and as against him the allegation is only that he stood in the crowd and attached with hands. It is further submitted that the petitioners also sustained injuries during the occurrence and acted only in self defense, hence he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the



respondent reiterated the prosecution case. He further submitted that the petitioner along with others attacked the defacto complainant and caused severe injuries to him. Hence, he opposed to grant anticipatory bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice to his defense and contention, is ready and willing to deposit an amount of Rs.10,000/- to any association. Hence, he prays for grant of anticipatory bail to the petitioner.

6. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

7. Considering the fact that the injured discharged from the hospital and also taking note of the fact that the petitioner has come forward to deposit an amount of Rs. 10,000/- to the credit of "Tamil Nadu Advocate Clerk Association, Chennai", this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

8. Accordingly, the petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) as cost to the **Tamil Nadu Advocate Clerk Association, Chennai** and on such payment, 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 made ready, before the learned XVII Metropolitan Magistrate , Saidapet 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 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];

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(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

07-05-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

JRS/bkn

To

1. The XVII Metropolitan Magistrate , Saidapet.

2. The Inspector of Police,
R-6 Kumaran Nagar Police Station,
Jaffer Khanpet,
Chennai 600 083.
Cr.No.80 of 2026.

3. The public prosecutor,
High court of madras.



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CRL OP No. 11873 of 2



L.VICTORIA GOWRI J.

JRS

CRL OP No. 11873 of 2026

07-05-2026