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CRL OP No. 12094 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 12094 of 2026

Mohamed fazith

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police
D1 - Triplicane Station,
Chennai district
(Crime No.119 of 2026)

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 482 of BNSS, pleaded to order enlarge the petitioner on bail in the event of his arrest in Crime No. 119 of 2026 pending investigation on the file of the Respondent.

For Petitioner(s):	Mr.Saravana Perumal
For Respondent(s):	M/s.R.S.Indira Government Advocate (Criminal side)

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 126 (2), 296 (b), 115 (2), 117 (2), 351 (1), 118 (1) of BNS, in Crime No.119 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the defacto-complainant is the petitioner's brother-in-law. During a family dispute, the petitioner bit the defacto-complainant's finger. Consequently, the defacto-complainant admitted to the hospital. Hence, the case.

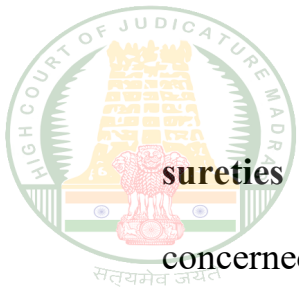


3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further states that the alleged occurrence took place on 06.04.2026, and the injured has been discharged from the hospital and it is a case and case in counter. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the injured has been discharged from the hospital. However, he opposed the grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, the fact that the injured has been discharged from the hospital, and that the occurrence took place on 06.04.2026, and this being a case and case in counter, this Court is of the firm view that the custodial interrogation of the petitioner is not necessary. Hence, 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 (15) days from the date on which the order copy is made ready, before the **learned Metropolitan Magistrate 2, Egmore**, on condition that **the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)**, with two



sureties each, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

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(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 Morning at 10.30 am and Evening at 5.30 pm. for a period of fifteen days and thereafter as and when required;

(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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C.KUMARAPPAN, J.

EP

To

1.The Metropolitan Magistrate 2,
Egmore.

2.The Inspector of Police
D1 - Triplicane Station
Chennai district

3.The Public Prosecutor
High Court of Madras.

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