



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 12942 of 2026

D.Sudhakar
S/o.Dhatchnamoorthy,
3/65, Temple Street,
P.Kuchipalayam,
Pidagam (PO),
Villupuram-605403.

..Petitioner/
Accused No.1

Vs

The State rep.by
The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram.
Cr.No.727 of 2025.

..Respondent/
Complainant

PRAYER :- Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the petitioner on
bail in the event of his arrest by the respondent in connection with the criminal
case in Cr.No.727 of 2025 pending investigation on the file of the respondent.

For Petitioner:

Ms. R.Reshma

For Respondent:

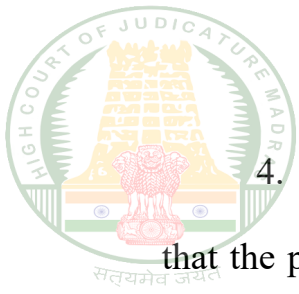
Mr. V.Meganathan,
Government Advocate (criminal side)

**ORDER**

This Criminal Original Petition has been filed by the petitioner on 11.05.2026 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 132, 121(1), 127, 109(1), 303(2), 351(3) of B.N.S. 2023 in Crime No.727 of 2025 on the file of the respondent police.

3. The case of the prosecution is that on 19.10.2025, based on the secret information, the Sub Inspector from the Respondent police went to the house of the petitioner/ accused, who is an absconding accused in a 2025 sand theft case, to arrest him; upon arrival, the petitioner had verbally abused the Sub Inspector of the respondent police and attacked him on the neck and chest with a screwdriver, intending to murder him and causing injuries. The Sub Inspector of Police was admitted in hospital as outpatient and discharged on the same day. Concurrently, the petitioner's family members (accused A2 to A5 including the petitioner) intervened to prevent the police from discharging his official duty and damaged the Sub Inspector of Police's Walkie -Talkie. Hence the case.



4. Ms. R.Reshma, learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has permanent residence and he is ready to abide any condition imposed by this Court. Therefore, prayed to grant anticipatory bail to the petitioner.

5. Per contra, Mr.V.Meganathan, learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner has already filed 4 petitions before this court and the same were dismissed , especially the last petition was withdrawn. He further submits that there are seven previous cases against the petitioner all are similar in nature and there is no change in circumstance and therefore, at this stage, if the pre-arrest bail is granted to the petitioner, he will commit similar type of offence. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides'. This Court has perused the records.

7. Considering the facts and circumstances of the case as well as the the submissions made by learned counsels on either side and that the petitioner is ready to abide by any condition imposed by this Court, this Court is of the view that the custodial interrogation of the petitioner is not necessary. Furthermore,

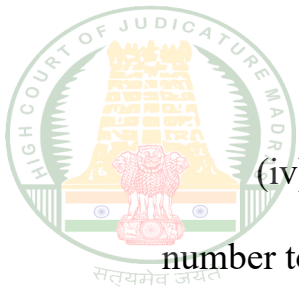


as the petitioner has permanent residence, there is less possibility of him absconding. Under these circumstances, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the **learned Judicial Magistrate No.1, Villupuram**, within a period of 15 days from today, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), along with two sureties each for a like sum of Rs.10,000/- to the satisfaction of the **learned Judicial Magistrate No.1, Villupuram**.

(ii) The petitioner shall Stay at Villupuram Town and sign before the **Judicial Magistrate No.I, Villupuram daily at 10.30.a.m., until further order.**

(iii) 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 Judicial Magistrate No.I, Villupuram**, shall obtain a copy of any one of identity proofs to ensure their identity;



(iv) The petitioner shall furnish their residence address and mobile number to the concerned Judicial Magistrate

(v) The petitioner shall make himself available for interrogation by police as and when required;

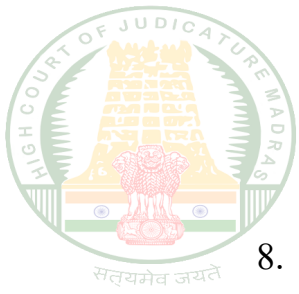
(vi) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

(vii) The petitioner shall not enter into the victim's house or her place;

(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence;

(ix) The petitioner shall not leave India without the prior permission of the trial Court; and

(x) On breach of any of the aforementioned conditions, the learned **Judicial Magistrate No.I, Villupuram** or Trial Court, is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in *P.K. Shaji vs. State of Kerala* [(2005) 13 SCC 283].



8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

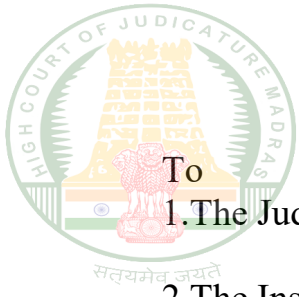
20-05-2026
(RSVJ)

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

JRS/RPP

Note:-

1. Registry is directed to forthwith upload this order in the official website of this Court.
2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.



To

1. The Judicial Magistrate No.I, Villupuram.

2. The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram.

Cr.No.727 of 2025.

3. The Public Prosecutor,
Madras High Court.



WEB COPY

CRL OP No. 12942 of 2



R.SAKTHIVEL J.

JRS

CRL OP No. 12942 of 2026

20-05-2026