



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13198 of 2026

Selvam
S/o.Perumal
2/138, Sodaiyur,
Omalur Taluk, Salem District – 636 501

..Petitioner/Accused No.1

Vs

State Represented by
The Inspector of Police
Jalakandapuram Police Station,
Salem District.
(Crime No.91 of 2026)

..Respondent/Complainant

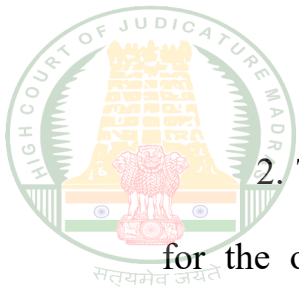
PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail, in the event of his arrest, in Crime No.91 of 2026 on the file of the Inspector of Police, Jalakandapuram Police Station, Salem District.

For Petitioner(s): Mr.B.Vasudevan

For Respondent(s): Mr.S.Balaji
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner on 18.05.2026 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 189(2), 296(b), 115(2), 324(2), 351(3) of BNS, 2023, in Crime No.91 of 2026, on the file of the respondent-police.

3. The case of the prosecution is that, due to previous land dispute, on 21.04.2026, the petitioner along with other accused attempted the attack the son of the defacto complainant with knife and later, the accused went to the house of the defacto complainant; pushed the defacto complainant down; damaged his motor cycle by setting fire; damaged the windows and also threatened him with dire consequences. Hence, the case.

4. Mr.B.Vasudevan, the learned counsel for the petitioner, submits 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 been falsely implicated in this case. He also submits that there is a case in counter in Crime No.90 of 2026 against the defacto complainant's party. He, however, submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.S.Balaji, the learned Government Advocate (Criminal

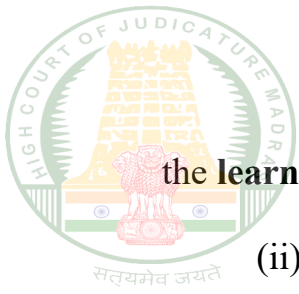


Side) appearing for the respondent-police reiterates the prosecution case and submits that there is one previous case against the petitioner. He further submits that the cases in Crime No.90 of 2026 and Crime No.91 of 2026 are 'cases in counter';

6. Heard on both sides. This Court has perused the materials available on record.

7. Considering the facts and circumstances of the case, the nature of the offences; and that the petitioner has permanent residence and deep roots in society; there is less possibility of absconding; and further considering that it is a case of case and case in counter; and with a view to give one more opportunity to reform herself, 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 pre-arrest bail in the event of his arrest or in the event of his surrender before the **learned Judicial Magistrate No.2, Mettur, Salem**, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of



the **learned Judicial Magistrate No.2, Mettur, Salem.**

(ii) 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.2, Mettur, Salem,** shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) **The petitioner shall appear and sign before the respondent Police, daily at 10.00 a.m. and 5.30 p.m., until further orders;**

(iv) The petitioner shall make himself available for interrogation by a police officer as and when required.

(v) 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 or tamper with the evidence.

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

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

(viii) The petitioner shall not leave India without the previous permission of the Court.

(ix) The petitioner shall furnish his residential address and mobile number to the **learned Judicial Magistrate No.2, Mettur, Salem.**

(x) On breach of any of the aforementioned conditions, the **learned**



Judicial Magistrate No.2, Mettur, Salem, or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner 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.

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Index: Yes/No

Speaking/Non-speaking order

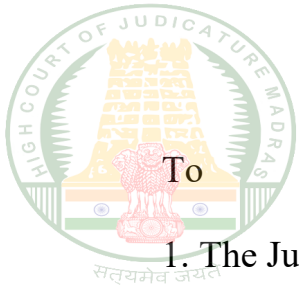
Neutral Citation: Yes/No

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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.2, Mettur, Salem

2. The Inspector of Police
Jalakandapuram Police Station,
Salem District.

3. The Public Prosecutor,
High Court, Madras.

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R.SAKTHIVEL, J.

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