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CRL OP No. 12768 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

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THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 12768 of 2026

Nithish Kumar @ Kadhu

Petitioner(s)

Vs

State Rep. by,
The Inspector of Police,
R-1, Mambalam Police Station,
Chennai.
(Crime No.75 of 2026)

Respondent(s)

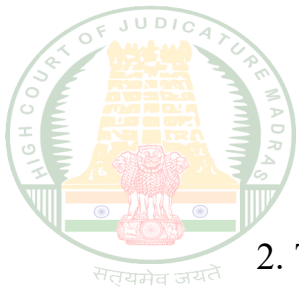
PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to grant an anticipatory bail to the petitioner in the event of his arrest in connection with Crime No.75 of 2026 pending investigation on the file of the respondent police.

For Petitioner(s): Mr.A.Vinoth Kumar

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 115(2), 118(1) and 351(3) of BNS Act, in Crime No.75 of 2026 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that, on 21.04.2026 at about 12.30 a.m., while the de facto complainant was proceeding to his home, at that time, due to previous enmity, the petitioner along with three other accused came on a two-wheeler, waylaid the de facto complainant, abused him in filthy language, attacked him with a stone, and threatened him with dire consequences. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been falsely implicated in this case and is ready to abide by any stringent conditions imposed by this Court. Hence, he prayed for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for the grant of anticipatory bail to the petitioner. He further submitted that the injured had been treated as an out-patient and that the petitioner has no previous case.

5. Heard the learned counsel on either side and perused the materials available on record.



6. Considering the rival submissions made by the learned counsel on either side and the nature of offence, and further taking note of the fact that the injured had been treated as an out-patient, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

7. Accordingly, 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 of receipt of a copy of this order, before the learned **XVII Metropolitan Magistrate, Saidapet, Chennai**, on condition that the petitioner shall execute 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 their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of four 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] the petitioner shall not leave India without the prior permission of the Court.

[f] 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 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];

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S. 2023.

14-05-2026

Jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The XVII Metropolitan Magistrate, Saidapet, Chennai.

2. The Inspector of Police,
R-1, Mambalam Police Station,
Chennai.
(Crime No.75 of 2026)

3. The Public Prosecutor, High Court of Madras.



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P.DHANABAL J.
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