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Crl.O.P.No.13004 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.05.2026

CORAM:

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

Crl.O.P.No.13004 of 2026

Kavin
S/o.Pazhanisamy
No.60-6-E-1, Chinnapaneri,
Veerappan Palayam Post,
Edappadi, Salem – 637 101.

... Petitioner/Accused -2

Versus

State represented by
The Inspector of Police,
Veppadai Police Station,
Namakkal District.
(Crime No.156 of 2020)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of BNSS Act, 2023, to enlarge the petitioner on bail in the event of his arrest pursuant to the Non-Bailable Warrant issued on 06.01.2026 by the learned II Additional District Court, Tiruchengode, Namakkal District, in S.C.No.57 of 2022 arising out of Crime No.156 of 2020 on the file of the respondent police.

For Petitioner : Mr.K.Kannan

For Respondent : Mr.V.Meganathan
Government Advocate (Criminal Side)



ORDER

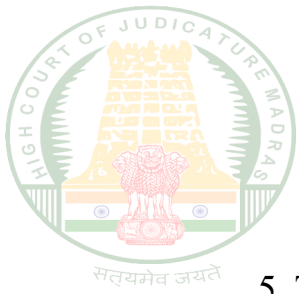
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This Criminal Original Petition has been filed by the petitioner on 13.05.2026 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 120(B), 364(A), 394 and 397 of IPC, on the file of the respondent-police.

3. The case of the prosecution is that the Petitioner along with other accused persons allegedly waylaid the defacto complainant, threatened him, and snatched a sum of Rs.12,000/- from the defacto complainant. Hence the case.

4. Mr.K.Kannan, the learned counsel for the petitioner, submits that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He further submits that the petitioner was unable to appear before the Court on 19.01.2026. Hence, the learned II Additional District Court, Tiruchengode, Namakkal District issued a Non – Bailable Warrant (NBW) against the petitioner. He further submits that the Petitioner has surrendered before the Court and filed a petition to recall the warrant.



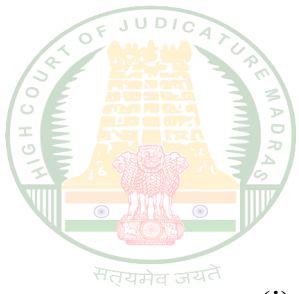
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5. The Petitioner apprehends that if the Petitioner files a petition to recall the warrant, the learned II Additional District Court, Tiruchengode, Namakkal District, may dismissed the petition and remand the petitioner to judicial custody. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.V.Meganathan, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the Petitioner was arrayed as Accused No.2 in S.C.No.57 of 2022 on the file of the II Additional District Court, Tiruchengode, Namakkal District. He further submits that the petitioner failed to appear before the Court on 19.01.2026. Therefore, he prays to dismiss this Criminal Original Petition.

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, 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:



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(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 II Additional District Court, Tiruchengode, Namakkal District**, 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.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the **learned II Additional District Court, Tiruchengode, Namakkal District**.

(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 II Additional District Court, Tiruchengode, Namakkal District** shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the **learned II Additional District Court, Tiruchengode, Namakkal District** on all hearing dates without fail.

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



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(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 her 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 II Additional District Court, Tiruchengode, Namakkal District.

(x) On breach of any of the aforementioned conditions, the learned II Additional District Court, Tiruchengode, Namakkal District or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in



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accordance with law as if the aforementioned conditions are imposed by them

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

Index : Yes/No

Internet : Yes/No

Neutral citation : Yes/No

jas/av

Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded on the official website of this Court, will be watermarked and will also have a QR code.



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To

1. The learned II Additional District Court,
Tiruchengode, Namakkal District.
2. The Inspector of Police,
Veppadai Police Station,
Namakkal District.
3. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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