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CRL OP No. 12936 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 12936 of 2026

1. Dhinesh
2. Rajkumar. K

..Petitioners

Vs

State Rep. by
The Inspector of Police,
B-5 Manavalanagar Police Station,
Thiruvallur District.
[Crime No. 118 of 2026]

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioners on bail in the event of their arrest by the respondent police concerned in Crime No. 118 of 2026 pending on the file of the respondent police, on such terms and conditions.

For Petitioners:	Mr. M.Nagoor Moideen
For Respondent:	Ms.R.S.Indira Government Advocate (Criminal Side)

ORDER

The petitioners apprehends arrest for the alleged offence under Sections 129(2), 296(b), 115(2), 118(1) and 351(3) of BNS in Crime No.118 of 2026 on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that the petitioners and the other accused persons were engaged in the business of milk supply using a three-wheeler.

While so, on 10.05.2026 at about 08.15 p.m, the defacto complainant, along with friends allegedly drove their car in an intoxicated condition and dashed against the petitioners' three-wheeler and picked up quarrel. Hence, the case.

3. The learned counsel for the petitioners submitted that this is a case and counter-case. He further submitted that the petitioners are innocent persons and have been falsely implicated in the case. He also submitted that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioners.

4. At this juncture, the learned Government Advocate (Crl.Side) submitted that the petitioners assaulted the defacto complainant and thereby caused serious injury and in furtherance thereof, the de facto complainant sustained injury and was hospitalised for a period of 10 days. However, she fairly admitted that the injured has been discharged from hospital. However, she opposed to grant anticipatory bail to the petitioners.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

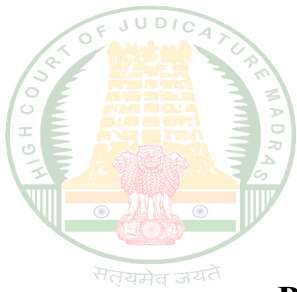


6. Considering the facts and circumstances of the case and taking into consideration the factual position, though there are serious allegation against the petitioners, since the injured person has already been discharged from the hospital, this Court is of the firm view that at this length of time, custodial interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate Court-I, Tiruvallur**, on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners 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;



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(c) The petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

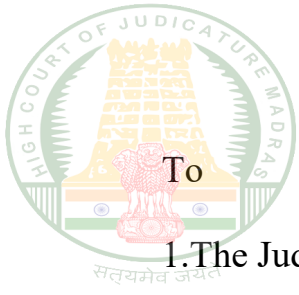
03-06-2026

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

VEDA

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 the official website of this Court will be watermarked and will also have a QR code.



To

1. The Judicial Magistrate Court-I, Tiruvallur.

2. The Inspector of Police,
B-5 Manavalanagar Police Station,
Thiruvallur District.

3. The Public Prosecutor,
Madras High Court.

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C.KUMARAPPAN, J.

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03-06-2026