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CRL OP No. 13151 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13151 of 2026

Sheshadri G
S/o.Gunasheelan. C.

..Petitioner/Single Accused

Vs

The State Rep by The Inspector of police
Omerabad Police Station,
Thirupathur District.
(Crime No.163 of 2026)

..Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Bharatiya
Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail to
the petitioner in event of his arrest in Crime No.163 of 2026 pending on the file
of the respondent police.

For Petitioner: Mr.Gopalakrishnan B

For Respondent: Mr.S.Balaji, Govt. Advocate (Crl.Side)

ORDER

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



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2.The petitioner / Accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 115(2) and 118(1) of the Bharatiya Nyaya Sanhita, 2023 in Crime No.163 of 2026 on the file of the respondent police.

3.The case of the prosecution is that the defacto complainant namely Malathi lodged a complaint dated 12.05.2026 to the respondent police alleging that on 23.02.2026 at about 8.00 a.m. the petitioner scolded the defacto complainant with filthy language and also attacked her with hands. Due to which the defacto complainant sustained injury. Hence, the case.

4.The learned counsel for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case. He would further submit that the petitioner is a transgender person and that the defacto complainant himself scolded and teased the petitioner, and when questioned, she lodged a false complaint. He would further submit that no previous case is pending against the petitioner. Therefore, he prayed to grant an order of pre-arrest bail to the petitioner.



5.The learned Government Advocate (Crl.Side) appearing for the respondent opposed the grant of pre-arrest bail to the petitioner considering the nature of the allegations involving physical assault and injury to the defacto complainant.

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

7.The case of the prosecution is that the petitioner attacked the defacto complainant, abused her with filthy language and caused injury. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, no previous case is pending, and that it is a false counter-blast complaint.

8.Considering the above facts and circumstances of the case, the nature of the offence alleged to have committed by the petitioner, and also considering the fact that no previous case is pending against the petitioner, this court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions.

(i)The petitioner shall be released on bail in the event of arrest or in the event of surrender before the learned Judicial Magistrate, Ambur 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 for a like sum of Rs.10,000/- to the satisfaction of the learned
Judicial Magistrate, Ambur;

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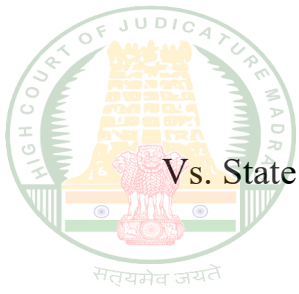
(ii)The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate, Ambur shall obtain a copy of any one of their identity proofs to ensure their identity;

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

(iv)The petitioner shall make himself available for interrogation by police 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;

(vi)On breach of any of the aforementioned conditions, the learned Judicial Magistrate/Trial Court 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].

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

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Index : Yes/No

Internet : Yes/No

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, Ambur.

2. The Inspector of police
Omerabad Police Station,
Thirupathur District.

3. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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