



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13208 of 2026

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Arshath Kalam
No. 79/7, Dharmapuram, 3rd street
T.Nagar, Chennai-600017

..Petitioner/Accused

Vs

The State rep by, The Inspector of Police
F-3, Nungambakkam Police Station,
Chennai District.
(Crime No 161 of 2026)

..Respondent/Complainant

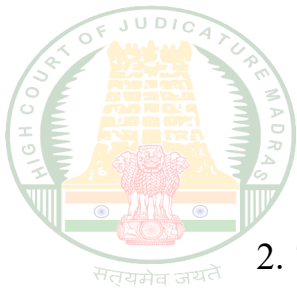
PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail, in the event of his arrest, in Crime No 161 of 2026 on the file of the respondent police.

For Petitioner(s): Mr.K.Karthikeyan

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.



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2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNS, 2023, in Crime No.161 of 2026, on the file of the respondent-police.

3. The case of the prosecution is that on 27.04.2026 at about 1.00 p.m., the petitioner attacked the defacto complainant and his friend with wooden log as a result of which, the defacto complainant and his friend sustained injuries. Hence, the case.

4. Mr.K.Karthikeyan, 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, 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 the injured has been discharged from the hospital. He further submits that there is no previous case against the petitioner.



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

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7. Considering the facts and circumstances of the case, the nature of the alleged offences; and that the petitioner has permanent residence and deep roots in society; there is less possibility of absconding; 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 XIV Metropolitan Magistrate, Egmore, Chennai**, 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 XIV Metropolitan Magistrate, Egmore, Chennai**.

(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 XIV Metropolitan Magistrate, Egmore, Chennai**, 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, every Monday and Friday at 10.00 a.m., until further orders;

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

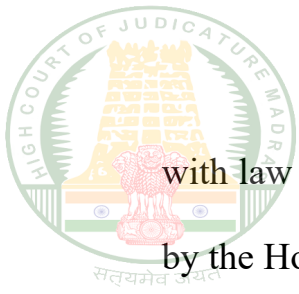
(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(vi) The petitioner shall not enter into the defacto complainant's house or his work 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 furnish his residential address and mobile number to the learned **XIV Metropolitan Magistrate, Egmore, Chennai.**

(ix) On breach of any of the aforementioned conditions, the **learned XIV Metropolitan Magistrate, Egmore, Chennai**, 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*

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283/.

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

21-05-2026

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 XIV Metropolitan Magistrate, Egmore, Chennai
2. The Inspector of Police
F-3, Nungambakkam Police Station,
Chennai District.
3. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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