



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13246 of 2026

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GUNA alias GUNASEKARAN
S/o Kalimuthu
No.5/256, Sathanoor Village,
Vallanai Post,
Ramanathapuram- 623 401.
No.3E, NRK Nagar,
Alapakkam Main Road,
Mappedu,
Chennai-600 126.

..Petitioner/Accused No.1

Vs

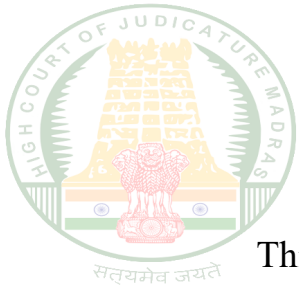
State Rep. by The Inspector of Police
Manavalanagar Police Station,
Tiruvallur District
(Crime No. 110 of 2026)

..Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023, praying to enlarge the petitioner on bail in the event of his arrest by the respondent police concerned in Crime No. 110 of 2026 on the file of the Inspector of Police, Manavalanagar Police Station, Tiruvallur District.

For Petitioner(s): Mr.A Murugavel

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



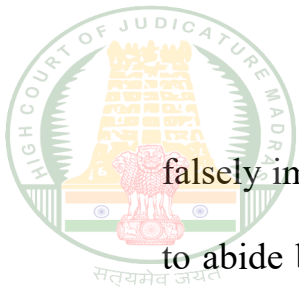
ORDER

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.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Section 191(2), 296(b), 115(2), 118(1) and 351(2) of BNS, 2023 read with Section 18(d) of the Transgender Persons (Protection of Rights) Act, 2019, in Crime No.110 of 2026, on the file of the respondent-police.

3. The case of the prosecution is that, the defacto complainant who is a transgender, lodged a complaint alleging that, on 03.05.2026 at 12.00 a.m., the petitioner along with other accused from a TASMACH Bar, called the defacto complainant; abused her with filthy language; assaulted her with hands and pulled her and also threatened her with dire consequences, as a result of which the defacto complainant sustained injury and was admitted to the hospital. Hence, the case.

4. Mr.A.Murugavel, 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.A.Gopinath, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that, there are totally 6 accused in this case and the petitioner has been arrayed as A1. During a birthday celebration in the Bar, there was a quarrel between the petitioner and the defacto complainant, due to which, the petitioner along with other accused attacked the defacto complainant and the defacto complainant sustained hand fracture. He further submits that the injured was admitted to the hospital as an in-patient and was discharged from the hospital on 04.05.2026 and that there is no previous case against the petitioner. He further submits that the co-accused/A2 to A6 were arrested and subsequently, released on bail.

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; and that the petitioner has permanent residence and deep roots in society; there is less possibility of absconding; and further considering that the injured has been discharged from the hospital; there is no previous case against the petitioner; the co-accused have been released on bail; and with a view to give one more opportunity to reform himself, 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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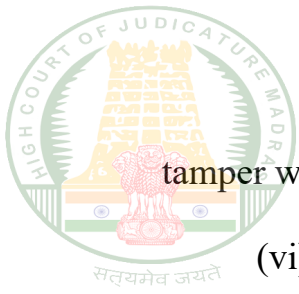
(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the **learned Judicial Magistrate No.I, Tiruvallur**, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the **learned Judicial Magistrate No.I, Tiruvallur**.

(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 No.I, Tiruvallur**, 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 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 victim's house or his 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 Judicial Magistrate No.I, Tiruvallur.

(x) On breach of any of the aforementioned conditions, the learned **Judicial Magistrate No.I, Tiruvallur**, 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 him as 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.

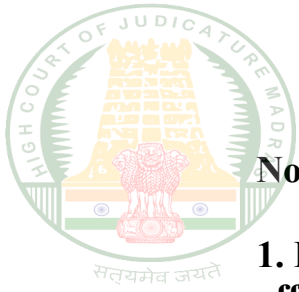
21-05-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

KSA-2/SSI



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 No.I, Tiruvallur
2. The Inspector of Police
Manavalanagar Police Station,
Tiruvallur District
3. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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