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CRL OP No. 13467 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13467 of 2026

1. Suresh
S/o.Balakrishnan,
No.4/164-2, Thandhumariyamman Kovil
Street, Nainarkuppam, Uthandi,
Kancheepuram, Tamilnadu – 600 119.

2. Naveen
S/o.Boobalan,
No.4/116, Muthalamman Kovil Street,
Nainarkuppam, Uthandi, Kancheepuram,

..Petitioners/Accused Nos.1 & 2

Vs

State Rep by
The Inspector of Police,
Kanathur Police Station.
(Cr.No.80 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 at the hands of the respondent pending investigation in Crime
No.80 of 2026 on the file of the respondent police.

For Petitioner(s): Mr.S.Senthilvel

For Respondent(s): Mr.C.R.Malarvannan
Government Advocate (Criminal Side)



ORDER

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This Criminal Original Petition has been filed by the petitioners on 19.05.2026 under Section 482 of 'Bharatiya Nagarik Suraksha Sanhita, 2023' [henceforth 'B.N.S.S'] praying to grant an order of pre-arrest bail to them.

2.The petitioners/Accused 1 & 2, apprehend the arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 115(2) and 351(3) of BNS, 2023 r/w Section 4 of TNPHW Act in Crime No.80 of 2026 on the file of the respondent police.

3.The case of the prosecution is that on 14.05.2026 while the de facto complainant was sitting and chatting about the election result, the petitioners started a heat conversation, which ended in scuffle and the petitioners pushed down the de facto complainant's mother, thereby she sustained injury. The de facto complainant also sustained injury, thereafter they admitted in a hospital and took treatment as in-patient for one day. Hence the case.

4.The learned counsel for the petitioner submitted that the petitioners are innocent and have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that on the date of occurrence, the petitioners were assaulted by the de facto complainant and the petitioners were also sustained severe injury and they were admitted in



the hospital on 12.05.2026 and discharged on 13.05.2026. In this regard, a complaint was lodged and F.I.R. registered against the de facto complainant in Crime No.82 of 2026 on the very next day. He further submitted that the injured have been discharged from the hospital. Accordingly, he prayed to grant an order of pre-arrest bail to the petitioners.

5.The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there was a dispute with regard to election result, which ended in scuffle and the petitioners attacked the de facto complainant and his mother, thereby they sustained injury, thereafter admitted in hospital and took treatment as in-patient for one day. He further submitted that the injured have been discharged from the hospital. A counter case has been registered against the de fact complainant in Crime No.82 of 2026. He further submitted that the petitioners have no previous case. However, he prayed to dismiss this Criminal Original Petition.

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

7. Considering the above facts and circumstances of the case and considering the fact that the petitioners have no previous case and that the injured has been discharge from the hospital and it is a case in counter, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to



the following conditions:

(i) The petitioners shall be released on bail in the event of his arrest or in the event of his surrender before the learned **District Munsif-cum-Judicial Magistrate, Sholinganallur**, within a period of 15 days from the date of receipt of a copy of this order, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, along with two sureties each for a like sum of Rs.10,000/- to the satisfaction of the learned **District Munsif-cum-Judicial Magistrate, Sholinganallur**;

(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 shall obtain a copy of any one of identity proofs to ensure their identity;

(ii) **The petitioners shall appear and sign before the respondent Police, daily at 10.00 a.m., until further orders;**

(iv) The petitioners shall make himself available for interrogation by police as and when required;

(v) The petitioners 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 Judge is entitled to pass appropriate orders against the



petitioners in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in

P.K.Shaji Vs. State of Kerala [(2005) 13 SCC 5560].

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

22-05-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RSI

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 District Munsif-cum-Judicial Magistrate,
Sholinganallur

2.The Inspector of Police,
Kanathur Police Station.

3.The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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