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CrI.O.P.No.13481 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2026

CORAM:

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CrI.O.P.No.13481 of 2026

Mohamed Ashen,
S/o. Jakiriya,
D.No.8, Anna Nagar,
Gandhi Street,
B.P.Agraharam, Erode District.

... Petitioner / Accused -3

Versus

State rep. by
The Inspector of Police,
Karungalpalayam Police Station,
Erode District.
(Crime No. 92/2026)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.92 of 2026 on the file of the respondent police.

For Petitioner : Mr.C.S.Saravanan
For Respondent : Mr.C.R.Malarvannan
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner on 19.05.2026 under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to grant an order of pre-arrest bail.



2. The petitioner / Accused -3, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 296 (b), 115 (2), 118 (2) and 351 (3) of Bharatiya Nyaya Sanhita, 2023 in Crime No. 92/2026 on the file of the respondent police.

3. The case of the prosecution is that due to wordy quarrel between the petitioner along with other accused and the defacto complainant, the petitioner along with other accused attacked him with a stone causing injury to his teeth. Hence, the complaint.

4. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that co-accused persons were granted bail by the learned Judicial Magistrate No.I, Erode in Crl.M.P.No.855 of 2026. Hence he prayed to grant an order of pre-arrest bail to the petitioner.

5. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that there is no previous case is pending as against the petitioner and the injured has been discharged from the Hospital.

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



7. 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 the injured has been discharged from the hospital and there is no previous case pending as 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 his arrest or in the event of his surrender before the learned **Judicial Magistrate No.I, Erode** within a period of 15 days from today, 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/- to the satisfaction of the learned **Judicial Magistrate No.I, Erode**;

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

(iii) **The petitioner shall appear and sign before the respondent police, weekly twice ie., on Monday and Friday 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



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dissuade them from disclosing such facts to the Court or to any police officer;

(vi) The petitioner shall not enter into the defacto complainant's house and workplace; and

(vii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.I, Erode/Trial Court 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 283].

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

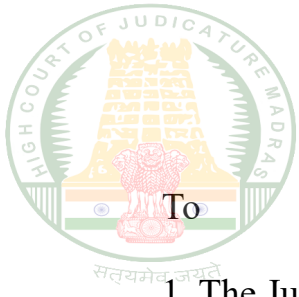
22.05.2026

Index : Yes/No
Internet : Yes/No
Neutral citation : Yes/No
dh/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.



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To

1. The Judicial Magistrate No.I,
Erode.

2. The Inspector of Police,
Karungalpalayam Police Station,
Erode District.

3. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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