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CrI.O.P.No.13468 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.13468 of 2026

Kuttypa @ Kishore
S/o. Dhatchina Moorthy,
No.13, A Block,
Kothaval Chavadi,
Saidapet, Chennai – 15.

... Petitioner / Accused

Versus

State rep. by
The Inspector of Police,
R-6 Kumaran Nagar Police Station,
Chennai.
(Crime No. 80/2026)

... 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 arrest in Crime No.80/2026 on the file of the Inspector of Police, R-6, Kumaran Nagar Police Station registered for the offence under Sections 126 (2), 296 (b), 115 (2), 118 (1), 109 (2), 351 (3) of Bharatiya Nyaya Sanhita.

For Petitioner : Mr.Vijaya Raj K

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



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ORDER

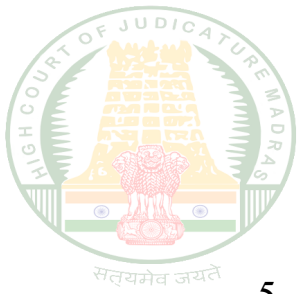
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This Criminal Original Petition has been filed by the petitioner on 19.05.2026 under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to grant an order of pre-arrest bail.

2. The petitioner / Accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 126 (2), 296 (b), 115 (2), 118 (1), 109 (2), 351 (3) of Bharatiya Nyaya Sanhita, 2023 in Crime No. 80/2026 on the file of the respondent police.

3. The case of the prosecution is that the petitioner along with other accused waylaid the defacto complainant and attacked him with a deadly weapon. 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 the co-accused in this case granted pre-arrest bail in Crl.O.P.No.11873 of 2026. Hence he prayed to grant an order of pre-arrest bail to the petitioner.



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5. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that there is one previous case is pending as against the petitioner which is similar in nature and the injured has taken treatment as an outpatient.

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 taken treatment as an outpatient and the co-accused granted pre-arrest bail in Crl.O.P.No.11873 of 2026, 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 **XXIII Metropolitan Magistrate, Saidapet, Chennai** 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 **XXIII Metropolitan Magistrate, Saidapet, 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 XXIII Metropolitan Magistrate, Saidapet, Chennai 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, daily at 10.30 a.m, for a period of three weeks and thereafter as and when required for interrogation;

(iv) The petitioner shall donate a sum of Rs.5,000/- (Rupees Five Thousand Only) as Non-refundable donation to the Tamil Nadu Advocate Clerk Association, Chennai (Account No.484026006, Indian Bank High Court Branch, IFSC NO.IDIB000M157).

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

(vi) 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;

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

(viii) On breach of any of the aforementioned conditions, the learned XXIII Metropolitan Magistrate, Saidapet, Chennai/Trial Court is entitled to pass



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appropriate orders against the petitioners in accordance with law as if the
aforementioned conditions are imposed by themselves as laid down by the

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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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R.SAKTHIVEL, J.

dh/rsi

To

1. The XXIII Metropolitan Magistrate,
Saidapet, Chennai.

2. The Inspector of Police,
R-6 Kumaran Nagar Police Station,
Chennai.

3. The Public Prosecutor,
High Court, Madras.

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