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CRL OP No. 13490 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. 13490 of 2026

Kanthan
S/o. Thangaraj
No.15/16, Srinivasapuram,
Kudisai Paguthi, Foreshore Estate,
Raja Annamalaipuram,
Chennai 600 028

..Petitioner/Accused
No.1

Vs

The State Rep By,
The Inspector of Police,
E-5, Foreshore Estate Police Station,
Chennai.
(Crime No.135 of 2025)

..Respondent/
Complainant

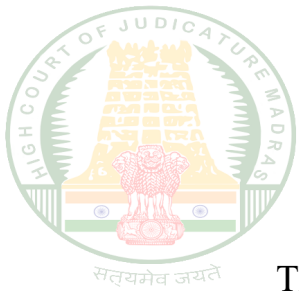
Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant anticipatory bail to the petitioner in the event of arrest in connection with Crime No.135 of 2025 pending investigation on the file of the respondent police.

For Petitioner:

Mr. R.Velmurugan

For Respondent:

Mr. R. Ganesh Kumar
Counsel for Government of Tamil Nadu
(Criminal Side)



ORDER

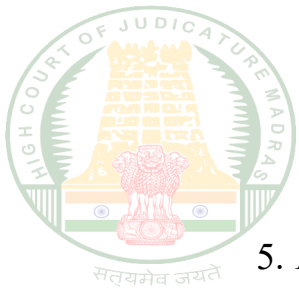
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This Criminal Original Petition has been filed by the petitioner on 19.05.2026 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail to the petitioner.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 191(2), 191(3), 118(1), 351(3) of Bharatiya Nyaya Sanhita, 2023, and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.135 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that, on 23.04.2025 at about 09.30 p.m. due to previous enmity, the petitioner along with others, abused and attacked the de facto complainant and his friend and also abused the wife and sister of the de facto complainant's friend. Hence, the case.

4. Mr. R.Velmurugan, the learned counsel for the petitioner, submits that the petitioner has been falsely implicated in this case. He, however, submits that the petitioner is ready to abide any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

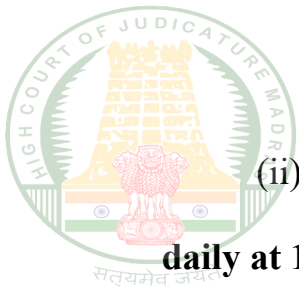


5. *Per contra*, Mr. R. Ganesh Kumar, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner along with other accused attacked the de facto complainant and his friend and caused injuries.

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

7. It appears that the wordy quarrel between the parties ended in an attack. The petitioner has permanent residence and deep roots in the society. Hence, there is less possibility of absconding. Hence, with a view to give one more opportunity to reform himself, this Court is inclined to grant an order of anticipatory bail to the petitioner subject to the following conditions.

(i) The petitioner shall be released on bail in the event of their 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 petitioner shall appear and sign before the respondent Police, daily at 10.00 a.m until further orders;**

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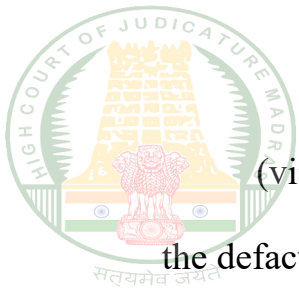
(iii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]. The **learned XXIII Metropolitan Magistrate, Saidapet, Chennai**, shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioner shall furnish his residence address and mobile number to the learned **XXIII Metropolitan Magistrate, Saidapet, Chennai**.

(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 de facto complainant's house or his work place;



(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence;

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(ix) The petitioner shall not leave India without the prior permission of the trial Court; and

(x) On breach of any of the aforementioned conditions, the learned **XXIII Metropolitan Magistrate, Saidapet, Chennai**, 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*.

22-05-2026

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 on the Official Website of this Court.

2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order, when uploaded on the official website of this Court, will be watermarked and will also have a QR code.

To

1. The XXIII Metropolitan Magistrate, Saidapet, Chennai.

2. The Inspector of Police,
E-5, Foreshore Estate Police Station,
Chennai.
(Crime No.135 of 2025)

3. The Public Prosecutor, High Court, Madras.



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R.SAKTHIVEL J.

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