



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13536 of 2026

Hemnath
No.14, kirikrishnan Street,ThiruAyarjadi,
PonneriTiruvallur District

..Petitioner/
Accused No.3

Vs

The State rep by
The Inspector of Police,
Ponneri Police Station,
Tiruvallur District
(Crime No.159 of 2025)Thiruvallur

..Respondent/Defacto
complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the petitioner on pre arrest bail by the respondent police in Crime No.159 of 2025.

For Petitioner:

Mr.V.Sukumar

For Respondent:

Mr.C.R.Malarvannan,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the petitioner on 19.05.2024 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 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 296(b), 115(2), 118(1), 351(3) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 in Crime No. 159 of 2025, on the file of the respondent police.

3. The case of the prosecution is that on 18.04.2026, the petitioner along with other persons had abused the defacto complainant in filthy language and attacked him with hands. Hence, the case.

4. Mr.V.Sukumar, learned counsel appearing 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 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. Mr.C.R.Malarvannan, learned Additional Public Prosecutor appearing for the respondent Police submits that the petitioner along with others attacked and threatened the defacto complainant. The first and second accused were arrested and released on bail. There is no previous case against this petitioner. He however submits that the investigation of the case is still pending and therefore, at this stage, if the pre-arrest bail is granted to the petitioner, he will commit similar type of offence. Hence he prays to dismiss this Criminal



Original Petition.

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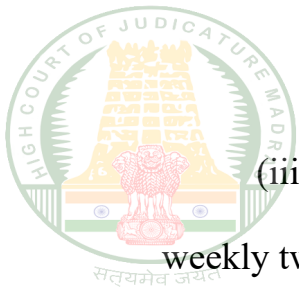
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6. Heard on both sides. This Court has perused the records.

7. Considering the fact that the petitioner and other accused persons and the defacto complainant are all relatives and he is the the permanent residence, hence, there is less possibility of absconding and this Court is of the view that the custodial interrogation of the petitioner is not required to the Investigating Agency. Considering the same and also considering the facts and circumstances of the case, the nature of the offence, 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:

(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-I, Ponneri, 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-I, Ponneri;

(ii) The sureties shall affix his 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-I, Ponneri, shall obtain a copy of any one of identity proofs to ensure his identity;



(iii) The petitioner shall appear and sign before the respondent police, weekly twice i.e., 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 dissuade him 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-I, Ponneri or Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala** [(2005) 13 SCC 283].

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

22.05.2026
(RSVJ)

Index : Yes/No
Internet : Yes/No
Neutral citation : Yes/No
jrs/mtl



Note:-

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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-I, Ponneri.

2. The Inspector of Police,
Ponneri Police Station,
Tiruvallur District
(Crime No.159 of 2025)Thiruvallur

3. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

JRS

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