



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13526 of 2026

1. Vigneshwaran
No.5, Ponniammman Street,Purasaiwalkkam,
Vepery,Chennai-600007.
2. Mathivanan
S/o. Vinayagam
No.5, Ponniammman Street, Purasaiwalkkam,
Vepery, Chennai-600007.

..Petitioners/A1 & A2

Vs

State rep by
The Inspector of Police
P2-Otteri Police Station,
Chennai (Cr.No.171/2026)

..Respondent/
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to enlarge the petitioners on bail in the event of their arrest by the respondent police in Crime Number 171 of 2026 on the file of the respondent police.

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For Petitioners: Mr.Naresh N

For Respondent: Mr.C.R.Malarvannan
Additional Public Prosecutor



ORDER

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

2. The petitioners/ A1 & A2, apprehend 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 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Crime No.171 of 2026 on the file of the respondent police.

3. The case of the prosecution is that on 11.05.2026 at around 5.30 p.m., while the defacto complainant was standing outside her house, 1st petitioner threw garbage on the dust bin, when garbage mistakenly fell on her, there was a wordy quarrel which escalated into physical fight and the petitioners allegedly assaulted the defacto complainant. Hence, the case.

4. Mr.Naresh N, learned counsel for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners have been falsely implicated in this case. He however submits that the petitioners are ready



to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioners.

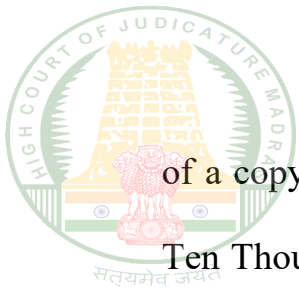
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5. *Per contra* Mr.C.R.Malarvannan, learned Additional Public Prosecutor (Criminal Side) appearing for the respondent submits that there are no previous cases against the petitioners. He further submits that if pre-arrest bail is granted to the petitioners, they will abscond and tamper with the evidence. He therefore prays to dismiss this Criminal Original Petition.

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

7. In this case the injured admitted in the hospital on 11.05.2026 and discharged on 21.05.2026. The petitioners have no previous cases. It appears that domestic quarrel happened between the petitioners and the defacto complainant. The petitioners and the defacto complainant are neighbors. Considering the facts that the petitioners are the first offender with a view to give one more opportunity to the petitioners to reform themselves, this Court is inclined to grant pre-arrest bail to the petitioners. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioners shall be released on pre-arrest bail in the event of their arrest or in the event of their surrender before the learned X Metropolitan Magistrate, Egmore, Chennai 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) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned X Metropolitan Magistrate, Egmore, Chennai.

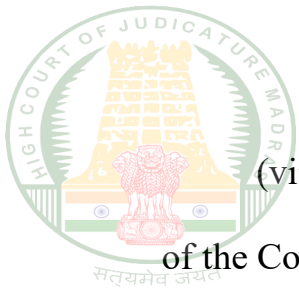
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned X Metropolitan Magistrate, Egmore, Chennai, shall obtain a copy of any one of identity proofs to ensure their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

(iii) The petitioners shall stay at Tiruvallur and thereafter sign before the Tiruvallur Town Police Station daily at 09.00 a.m. and 06.00 p.m., until further orders.

(iv) The petitioners shall make himself available for interrogation by a police officer 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 themselves from disclosing such facts to the Court or to any police officer.

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



(vii) The petitioners shall not leave India without the previous permission of the Court.

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(viii) The petitioners shall furnish their residential address and mobile number to the concerned Magistrate.

(x) On breach of any of the aforementioned conditions, the learned X Metropolitan Magistrate, Egmore, Chennai or Trial Court, as the case may be, 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]*.

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
MTL/JRS

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.



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R.SAKTHIVEL, J.

MTL/JRS

To

1. The X Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police
P2-Otteri Police Station,
Chennai (Cr.No.171/2026)
3. The Public Prosecutor, High Court, Chennai.

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