



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13562 of 2026

Rameshraj,
S/o. Sigamani,
No.15, Gangai Amman Kovil Cross Street,
Mettukuppam, Nerkunram,
Thiruvallur District

..Petitioner/
Accused

Vs

State rep by
The Inspector of Police
K-10, Koyambedu Police Station,
Thiruvallur District.
Crime No. 415 of 2026

..Respondent(s)

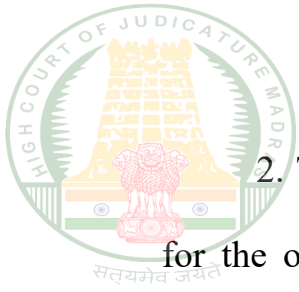
PRAYER :- Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the
petitioner in Crime No.415 of 2026 on the file of the respondent-police.

For Petitioner : Mr.VR Appaswamee,

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

ORDER

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.



2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 133, 351(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, in Crime No.415 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that, on 23.04.2026 during the General Election, the petitioner, being a member of a political party, carried his party flag within the prohibited distance of 200 meters from the polling area and, when questioned by the police, allegedly abused the police officials, pursuant to which the present FIR came to be registered on the complaint of the Sub Inspector of Police. Hence the case.

4. Mr.VR Appaswamee, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. 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.C.R.Malarvannan, the learned Additional Public Prosecutor appearing for the respondent-police, submits that the petitioner being a member of a political party, carried the party flag within the prohibited distance of 200 meters from the poling booth and when questioned by the police

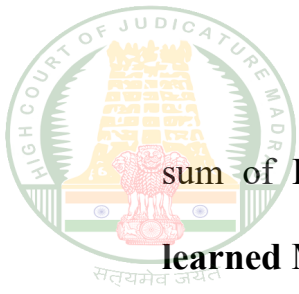


officials, abused them in filthy language and therefore based on the complaint lodged by the sub inspector of police, the case has been registered. He further fairly submits that there is no previous case against the petitioner. He however, submits that the investigation of the case is still pending and therefore, at this stage, if the pre-arrest bail is granted to the petitioner, he will commit similar type of offence . Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. Considering the aforesaid facts and circumstances of the case, and taking into account the nature of the allegation, this Court is of the view that the custodial interrogation of the petitioner is not necessary. Further, the petitioner has permanent residence and deep roots in the society. Hence, there is less possibility of absconding, 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 pre-arrest bail in the event of his arrest or in the event of his surrender before the **learned Metropolitan Magistrate No.II, Egmore, Chennai**, within a period of 15 days from the date on which the order copy is made ready, 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 Metropolitan Magistrate No.II, Egmore, Chennai.

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(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 **Metropolitan Magistrate No.II, Egmore, 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 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 a police officer 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 also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.



(vii) The petitioner shall not leave India without prior permission of the Court.

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

(ix) On breach of any of the aforementioned conditions, the learned **Metropolitan Magistrate No.II, Egmore, Chennai 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]*.

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
JRS/MTL

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.

JRS/MTL

To

- 1.The Metropolitan Magistrate No.II, Egmore, Chennai.
- 2.The Inspector of Police,
K-10 Koyambedu Police Station,
Thiruvallur District.
- 3.The Public Prosecutor, High Court, Madras.

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