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Crl.O.P.No.13781 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2026

CORAM

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

Crl.O.P.No.13781 of 2026

B.Selvakumar

... Petitioner

Vs.

The State represented by
The Inspector of Police,
M-1, Madhavaram Police Station.
(Crime No.350 of 2026)

... Respondent

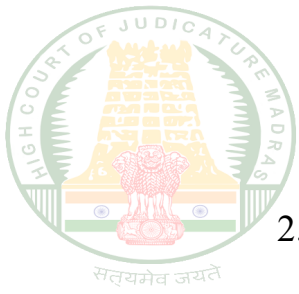
PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner's anticipatory bail in the event of his arrest in Crime No.350 of 2026 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Veeramuthu

For Respondent : Mrs.R.S.Indira,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 115(2), 118(1), 296(b) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No.350 of 2026 on the file of the respondent police, seeks anticipatory bail.



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2. The allegation against the petitioner is that the petitioner assaulted the de facto complainant, who is his wife, and therefore she had to be hospitalized. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and that he has not committed any offence as alleged by the prosecution. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the injured has been discharged from the hospital. However, he opposed the grant of anticipatory bail to the petitioner.

5. Taking into consideration the matrimonial discord between the husband and wife and the fact that the de facto complainant has already been discharged from the hospital, this Court is of the firm view that, at this length of time, custodial interrogation of the petitioner is not required and is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned **District Munsif cum Judicial Magistrate Court, Madhavaram**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent police twice a day at 10.30 a.m. and 05.30 p.m. for a period of 30 days, and thereafter as and when required for interrogation;**



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(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To

- 1.The District Munsif cum Judicial Magistrate Court, Madhavaram.
- 2.The Inspector of Police,
M-1, Madhavaram Police Station.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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