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CRL OP No. 15571 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15571 of 2026

Kumar

..Petitioner

Vs

The State Rep By,
The Inspector of Police
Tharamangalm Police Station,
Salem district.
Crime No.328 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioner on Anticipatory bail in the event of his arrest pending investigation in Crime No.328 of 2026 on the file of the respondent.

For Petitioner:

Mr.T.Muruganantham

For Respondent:

Ms.R.S.Indira,
Govt.Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 296(b), 115(2), 118(1), 351(3) of BNS (294(b), 323, 326, 506 of IPC) in Crime No. 328 of 2026 on the file of the respondent police seeks anticipatory bail.

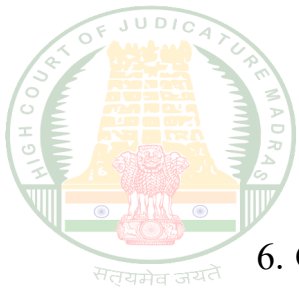


2. The case of the prosecution is that de facto complainant and the petitioner are relatives. It is alleged that petitioner is having an affair with a woman and on 07.06.2026, when the de facto complainant and his family members went to the above said woman's house, the petitioner was present there and a wordy quarrel arose between them. During which, the petitioner is alleged to have attacked the de facto complainant and his sister. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the defacto complainant and he has been falsely implicated in this case. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. 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 submitted that the injured admitted in hospital on 07.06.2026 and has been discharged on 10.06.2026. Hence, she opposed to grant anticipatory bail to the petitioners.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.



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6. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, taking into consideration of the totality of the circumstances, and upon the fact that the injured got discharged from hospital and upon the further fact that the issue has arisen between the relatives, this Court is of the firm view that custodial interrogation of the petitioner is not required at this stage. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. 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 Judicial Magistrate, Omalur**, 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



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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, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(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.

19-06-2026

SHL

To

1. The Judicial Magistrate, Omalur
2. The Inspector of Police
Tharamangalm Police Station,
Salem district.
3. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN J.

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