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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-11-2026

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THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 28002 of 2026

Kanagaraj,
S/o.Subramanian,
No.8/429, Arulpuram,
Palladam Road,
Tiruppur District. ...Petitioner/Accused

Vs

The State rep by,
The Inspector of police
Palladam Police Station,
Tiruppur. ...Respondent/Complainant
(Crime No. 1164 of 2025)

PRAYER : Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, to enlarge set aside the order in Crl.M.P.No.456 of 2026 dated 31.08.2026 on the file of the Judicial Magistrate, Palladam.

For Petitioner(s): Mr.P.Thinesh
For Respondent(s): Mr.R.Rajasekaran,
Govt.Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 296(b), 118(1), 351(3) of BNS, in Crime No.1164 of 2025 on the file of the respondent police seeks anticipatory bail.

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2. By an order dated 31.08.2026, passed in E-Crl.M.P.No.456 of 2026 in C.C.No.827 of 2025, the bail granted to the petitioner was cancelled. The reasons for cancellation, as stated in Paragraph No.8 of the said order, are as follows:

> 8) The petitioner/prosecution has stated that the petitioner had lodged a complaint against the respondent/accused in Palladam Police Station Crime No.1164 of 2025 under Sections 296(b), 118(1) and 351(3) of the BNS. In CMP No.20 of 2026, by order dated 12.01.2026 this Court granted bail to the respondent/accused was granted bail on the condition that he should appear before the police station every day at 10.00a.m., and sign until further orders. It is further stated that subsequently the respondent/accused was involved in another case registered in Palladam Police Station Crime No.722 of 2026 under Sections 296(b), 118(1) nad 351(3) of the BNS and that he was remanded to judicial custody at the Coimbatore Central Prison on 18.07.2026. The petitioner/complainant has alleged that the respondent/accused has deliberately violated the conditions imposed by this Court while granting bail. The respondent/accused has contended that Palladam Police Station Crime No.722 of 2026 is a false case and that he has been granted bail by the Hon'ble Principal District Court, Tiruppur in Crlmp.No.1662 of 2026. On perusal of the case records, it is found that, in Palladam Police Station Crime No.1164 of 2025 under Sections 296(b), 118(1) and 351(3) of the BNS, in C.M.P.No.20 of 2026, by order dated 12.01.2026, the respondent/accused was directed to appear before the concerned Police station and sign every day at 10.00a.m. until further orders. Further, one of the conditions imposed while granting bail was that the respondent/accused shall not involve himself in any other criminal activity after his release on bail. However, after being released on bail, the respondent/accused was subsequently involved in another criminal case, namely Palladam Police Station Crime No.722 of 2026. Thus, the materials available on record prima facie disclose that the respondent/accused has violated the conditions imposed by this Court while granting bail. In the above circumstances, the reasons stated by the petitioner/complainant are found to be valid and the objections raised on behalf of the respondent/accused are not acceptable. On considering above said reason, this Court allowed this petition.

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3. The learned counsel for the petitioner submitted that the subsequent case registered in Crime No.722 of 2026 on the file of Palladam Police Station is a false case and that the petitioner is not involved in the said offence. He further submitted that, due to his custody in the said case, the petitioner could not appear before the respondent police and comply with the original bail condition. It is also submitted that the main case in C.C.No.827 of 2025 has already been taken on file and is now posted for trial.

4. It is seen that the bail granted to the petitioner was cancelled on 31.08.2026 due to his non-appearance and failure to comply with the bail conditions.

5. Considering the above facts and circumstances, particularly the fact that the petitioner was originally granted bail and the same was subsequently cancelled for violation of one of the bail conditions, and taking note of the petitioner's undertaking that he would comply with the bail conditions and co-operate with the trial, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory 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

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learned Judicial Magistrate, Palladam 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 not indulge any other criminal activities;

(d) The petitioner shall report before the Trial court daily at 10.30a.m., until further orders;

(e) 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

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by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***

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

03-11-2026

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To

1.The Judicial Magistrate,
Palladam.

2.The Inspector of police
Palladam Police Station,
Tiruppur.

3.The Public Prosecutor,
High Court of Madras.

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N.RAMESH, J.

nvi

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03-11-2026

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