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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31520 of 2026

CNR: {HCMA012338722026}

Abdul Charu
S/o. Dawood Basha,
No.9, Ibrahim Sayabu Street,
Walajabad,
Kanchipuram District.

..Petitioners(s)

Vs

The State rep by The Inspector of Police
D-4, Walajabad Police Station,
Kanchipuram District. Crime No.216 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS praying to grant Anticipatory bail to the petitioners in the event of arrest in connection with Crime No. 216 of 2026 pending investigation on the file of the respondent police.

For Petitioners(s): Mr.AVinoth Kumar

For Respondent(s): Mr.R.Rajasekaran
Counsel for Government (Crl. Side)

ORDER

The petitioners apprehend arrest for the alleged offences under Sections 126(2), 308(2), 296(b), 118(1), 324(2) and 351(3) of BNS, in Crime No.216 of 2026, on the file of the respondent police and seeks anticipatory bail.

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2. The case of the prosecution is that dispute erupted in a funeral procession. In furtherance of a wordy quarrel, an altercation took place, where it is alleged that the petitioners along with other accused assaulted the defacto complainant with wooden log, due to which, defacto complainant sustained injuries. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the case of the prosecution and opposed the grant of anticipatory bail to the petitioners.

5. It is seen that this is the third bail petitions filed by the petitioners and the earlier petitions were dismissed on the ground that the petitioners were having bad antecedents. Now, it is submitted that the injured has been discharged from the hospital. Hence, considering the facts and circumstances of the case, and taking into account the submissions made by both sides and the fact that investigation has almost been completed, this Court is inclined to grant

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anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, , the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.II, Kanchipuram,** on condition that **the petitioners 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 petitioners fails to surrender before the concerned 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 petitioners shall report before the respondent Police daily at 10:30 A.M., for a period of fifteen 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners is 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 petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS Act.

30-10-2026

SMA

To

1. Judicial Magistrate No.II, Kanchipuram

2. The Inspector of Police
D-4, Walajabad Police Station,
Kanchipuram District

3. The Public Prosecutor,
Madras High Court.

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N.RAMESH, J.

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