Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

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THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30703 of 2026

CNR:{HCMA012560292026}

Kabilan S
S/o. Sanmugam,,
No. 4/115,Dhevangu Nagar, 1st Street,
Pudugummidipundi, Thiruvallur.

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police,
F-2, SIPCOT,
Gummidipoondi Police Station,
Thiruvallur District.
Crime No.215 of 2026

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge petitioner on Anticipatory Bail in the event of his arrest by the respondent police pending investigation in Crime No. 215 of 2026 on the file of respondent police and thus render justice.

For Petitioner(s): Mr.Mukesh Kannah

For Respondent(s): Mr.R.Rajasekaran,
Counsel for Government of Tamil Nadu
(Crl Side)

Order

The petitioner apprehends arrest for the alleged offence under Sections 25(1A) of Arms Act, 118(1), 296(b), 351(3) of BNS, 2023, in Crime No.215 of 2026 on the file of the respondent police seeks anticipatory bail.

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2.The case of the prosecution is that petitioner and others were consuming beer near Jain Metals Company, SIPCOT, on 25.08.2026, when Lokesh demanded money and the defacto complainant's silver bracelet and abused him upon refusal. A co-accused were arrested and remanded to Judicial custody and an iron knife and a half-broken beer bottle were recovered pursuant to their disclosure statements. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner had committed any offence and he is no way connected with the said occurrence. The petitioner is the only breadwinner of his family and he is ready to abide by any stringent condition that may be imposed by this Court and to co-operate with the investigation. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police vehemently opposed the grant of anticipatory bail to the petitioner. However, he submitted that the petitioner, the co-accused and the defacto complainant were friends, and had consumed beer together, a wordy quarrel ensued, during which the defacto complainant sustained simple injuries and was subsequently discharged from the hospital. He further submitted that no previous case is pending against the petitioner.

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5. Considering the facts and circumstances of the case and the relationship between the petitioner, the co-accused and the defacto complainant, 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 their 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, Gummidipoondi,** on condition that **the petitioner shall execute a bond for a sum of Rs.25,000/- each (Rupees Twenty Five 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;

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(c) The petitioner shall report before the respondent Police, daily at 10.30 a.m. until further orders;

(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.

23-10-2026

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To

1.The District Munsif-cum-Judicial Magistrate,
Gummidipoondi.

2.The Inspector of police
F-2, SIPCOT,
Gummidipoondi Police Station,
Thiruvallur District.

3.The Public Prosecutor,
High Court of Madras.

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N.RAMESH J.

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