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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30684 of 2026

CNR:{HCMA012560542026}

1. V.Madhan Kumar
   S/o.Velayudham,
   No. 114, Perumal Koil Street,
   Kaivandur Village,
   Thiruvallur Taluk and District.

2. V.PremKumar
   No. 114, Perumal Koil Street,
   Kaivandur Village,
   Thiruvallur Taluk and District.

3. V.Velkumar
   S/o.Velayudham,
   No. 114, Perumal Koil Street,
   Kaivandur Village,
   Thiruvallur Taluk and District.

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police,
B1 Taluk Police Station,
Thiruvallur District.
Crime No. 357 of 2026

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023, to enlarge the petitioners on Anticipatory bail in the event of their arrest in Crime No. 357 of 2026 pending investigation on the file of respondent Police and thus render Justice.

For Petitioner(s): Mr.D.Sasi Kumar

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

Order

The petitioners, apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Sections 118(1), 296(b), 351(3) of BNS in Crime No.357 of 2026 on the file of the respondent Police, has approached this Court seeking anticipatory bail.

2.The case of the prosecution is that, the defacto complainant, namely, Abirami lodged a complaint stating that on 14.10.2026, at about 08.30 a.m., the petitioners/accused abused her husband, Mr.Murugunatham, in filthy language and assaulted him. Further, the accused threatened her with dire consequences. Hence, a complaint was lodged, based on which the respondent police registered an FIR in Crime No.357 of 2026. Hence, the case.

3.The learned counsel for the petitioners submitted that the first petitioner, an auto driver, was allegedly abused and assaulted by the defacto complainant's husband on 15.10.2026 at Tirupathi Bus Stop. The first petitioner was admitted to the Government Hospital, Tiruvallur, and based on his statement, an FIR was registered in Crime No.460 of 2026 against the defacto complainant's husband. The defacto complainant lodged a false

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counter-complaint to escape from the aforesaid FIR, while the first petitioner was undergoing treatment in the hospital and was discharged only on 16.10.2026. The petitioners have nothing to do with the prosecution case and the petitioners did not indulge any act to attract the penal provisions mentioned in the FIR and they were falsely impleaded with malafide intention. He also submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court and sought anticipatory bail for the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed to grant anticipatory bail to the petitioners. He further submitted that the first petitioner and the defacto complainant are auto drivers, and that, due to previous enmity, a quarrel arose between them. The defacto complainant's husband has been discharged from the hospital. He further submitted that no previous case is pending against them.

5.Considering the facts and circumstances of the case, the nature of the allegation, and the fact that the occurrence arose out of a previous enmity, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions.

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6. Accordingly, the petitioners are 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 Judicial Magistrate No.I, Thiruvallur,** 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 petitioners fail 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 petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on

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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 absconds, a fresh FIR can be registered under Section 269 of BNS Act.

23-10-2026

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To

1.The Judicial Magistrate No.I,
Thiruvallur.

2.The Inspector of Police,
B1 Taluk Police Station,
Thiruvallur District.

3.The Public Prosecutor,
High Court,
Madras.

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N.RAMESH J.

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CRL OP No. 30684 of 2026

23-10-2026

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