Order QR

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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. 30904 of 2026

CNR: {HCMA012562782026}

Alavudeen

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police
Erode South Police Station
Erode District.
Crime No. 256 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in the event of his arrest pending investigation with Crime No. 256 of 2026 on the file of the respondent and thus render Justice.

For Petitioner(s): Mr.C.S.Saravanan

For Respondent(s): Mr. R.Rajasekaran,
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 296(b), 132 and 351(3) of BNS in Crime No.**256 of 2026** on the file of the respondent police seeks anticipatory bail.

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2. The case of the prosecution is that on 14.10.2026, while the de facto complainant, a Sub-Inspector of Police attached to the respondent police station, was conducting regular patrol duty, the accused persons were found indulging in a public nuisance. When the de facto complainant questioned them regarding their conduct, the accused persons abused him in filthy language and threatened him with dire consequences.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and a false case has been foisted against the petitioner and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution's case and submitted that the petitioner has four previous cases registered against him. Given his criminal antecedents, he strongly opposed the grant of anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions.

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6. Considering the nature of the allegations and the submissions made by the learned counsel on either side, this Court is of the firm view that, custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, 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 No.III, Erode** 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 slip (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 am for a period of 30 days 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 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

23-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MFA

To

1.The Judicial Magistrate No.III
Erode

2.The Inspector of Police
Erode South Police Station
Erode District.

3.The Public Prosecutor,
High Court, Chennai.

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N.RAMESH, J.

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