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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32609 of 2026

Anand,
S/o.Sampath,
No.1/23, 17th Street,
Venkateswara Nagar,
Ramapuram,
Tiruvallur-600 089. ...Petitioner/Accused(A1)

Vs

State rep.by:
The Inspector of Police,
R-11 Ramapuram Police Station,
Koyambedu,
Tiruvallur District. ...Respondent/Complainant
Crime No.438/2026

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in connection with Crime No.438 of 2026 on the file of the Respondent Police.

For Petitioner(s): Mr.A.J.Magendiraverman

For Respondent(s): Mr.M.M.I.Khaleel,
Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.09.2026 for the alleged offence under Sections 296(b), 115(2), 191(2), 103(1) and 61(2) of BNS, in Crime No.438 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that, during the Vinayagar Chathurthi procession, a wordy quarrel arose between the accused Bhuvanesh and Anishkumar over dancing in front of the chariot, which was subsequently pacified by elders. Due to the same, on 15.09.2026, the accused and others went to the Anishkumar's house and assaulted him. When the deceased Srinivasan and others intervened to compromise the matter, the accused Anand assaulted the deceased with his hand, resulting in his fall and sustaining injuries. Subsequently, the deceased died on the way to the hospital. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner has been in judicial custody since 15.09.2026 and is innocent and has been falsely implicated in this case. He further submitted that the co-accused have already been arrested and released on bail by this Court in Crl.O.P.Nos.31670 and 31702 of 2026, dated 02.11.2026 and the petitioner is ready to abide by any stringent conditions imposed by this Court and to cooperate with the investigation.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the petitioner is arrayed as A1. He further submitted that all the accused assaulted together and that there is no specific overt act against the petitioner. Hence, he opposed the grant of bail to the petitioner.

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5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

6. It is a case of a quarrel during the Vinayagar Chathurthi procession, on 14.09.2026, in the midnight, the accused/Bhuvanesh went to the house of Anishkumar and assaulted him. When the deceased Srinivasan and others intervened to compromise the matter, A1 allegedly struck him on the back and chest with his hands. He died on the way to the hospital. The petitioner has been in judicial custody since 15.09.2026. This is the first bail application. The learned counsel for the respondent stated that the petitioner along with other accused assaulted together and that there is no specific overt act against the petitioner. The petitioner is arrayed as A1. Considering the above facts and circumstances of the case and the period of incarceration already undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate No.I, Poonamallee,** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship

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[Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police twice daily at 10.30 a.m., and 05.30p.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];**

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

10-11-2026

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

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To

1.The Judicial Magistrate No.I,
Poonamallee.

2. The Inspector of Police,
R-11 Ramapuram Police Station,
Koyambedu,
Tiruvallur District.

3.The Superintendent,
Central Prison-II, Puzhal, Chennai.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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