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Crl.O.P.No.234 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.234 of 2026

Siva S/o.Balaraman

... Petitioner/ Accused

Vs

The State Rep. By,
The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri.
(Crime No.88 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent in Crime No.88 of 2025 on the file of the respondent police.

For Petitioner : Mr. M.Bhavani

For Respondent : M/s. J.R. Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of the BNS, 2023, @ 296(b), 109(1) of BNS @ 103(1) of BNS, in Crime No.88 of 2025 on the file of the respondent Police, seeks anticipatory bail.



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2. The allegation against the petitioner is that he joined hands with the other accused, quarreled with the defacto complainant, attacked him with the wooden log causing injuries, and threatened him. Hence, the present complaint has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Earlier bail applications of the petitioner are dismissed by this Court during pendency of investigation and since the investigation of the case is completed and final report is filed and taken on file in PRC.No.41 of 2025 on the file of the Learned Chief Judicial Magistrate No.I, Krishnagiri, he prays for anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that as per the complaint, the petitioner assaulted defacto complainant with wooden log and he sustained injuries and that the investigation of this case is pending.



5. Considering the submissions made, facts and circumstances of this case, nature of allegation, the fact that there is no previous case as against the petitioner herein, though earlier applications are dismissed, now the final report is filed; this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Chief Judicial Magistrate No.I, Krishnagiri**, 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 condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of 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,



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2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the concerned Court daily at 10.30.a.m., for a period of four weeks and thereafter, as and when required for interrogation;

[d] 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]**;

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

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K. RAJASEKAR, J.

ssa

To

1. The Chief Judicial Magistrate No.I, Krishnagiri.
2. The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri.
(Crime No.88 of 2025)
3. The Public Prosecutor,
High Court of Madras.

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