



WEB COPY



Crl.O.P.No.34043 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.01.2026

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.34043 of 2025

K.A.Arjunan

.... Petitioner

Vs

State Rep. by
The Inspector of Police
291/3/108 A-3 MG Road,
New Fairlands, Salem

.... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the event of his arrest in Crime No.730 of 2025 pending investigation by the Respondent police.

For Petitioner : Mr.Sai Krishnan Thiagarajan

For Respondent : Mr.K.M.D.Muhilan
Additional Public Prosecutor

ORDER

Apprehending arrest in connection with Crime No.730 of 2025 registered for the offences punishable under Sections 296(b), 115(2) & 351(3) of Bharatiya Nyaya Sanhita and Section 4 of TNPHW, Act, the present petition has been filed by the petitioner seeking anticipatory bail.



2. The case of the prosecution, as per the de facto complainant, is that on 03.12.2025 at about 12:00 noon, when the victim (one Saroja) objected to the expansion of a tar road near her residence, the petitioner, who owns land on the opposite side, arrived at the scene of occurrence, used abusive language, and physically assaulted her. Hence, the case.

3. Pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. The learned counsel for the petitioner would submit that the Government had intended to expand the road and in the process, had removed certain encroachments. He further submits that under the mistaken impression that the petitioner was responsible for said removal, the de facto complainant lodged the present complaint on false allegations. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. The case of the prosecution as put forth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioner had abused the de facto complainant and assaulted her. He further submitted that the injured has been discharged from the hospital.



5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Salem**, on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees Five Thousand only), with two sureties, each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of one week, thereafter, as and when required;

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

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



Crl.O.P.No.34043 of 2025

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560])**;

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

22.01.2026

Index : Yes/No
Internet : Yes/No
rpl

To

1.The Judicial Magistrate No.I, Salem.

2.The Inspector of Police
291/3/108 A-3 MG Road,
New Fairlands, Salem.

3.The Public Prosecutor,
High Court, Madras.



Crl.O.P.No.34043 of 2025

A.D.JAGADISH CHANDIRA, J,

rpl

Crl.O.P.No.34043 of 2025

22.01.2026