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Crl.OP.No.35840 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.35840 of 2025

Mallesh

... Petitioner

Vs.

State Rep by
The Inspector of Police,
HUDCO Police Station,
Krishnagiri District.
(Cr.No.396 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in the event of arrest by the respondent police in Cr.No.396 of 2025 pending investigation before the respondent .

For Petitioner : Mr.C.Mohan Raj

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 296(b), 115(2), 118(1), 351(2) and 351(3) of BNS in Cr.No396 of 2025 on the file of the respondent police. seeks anticipatory bail.



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2. The prosecution case is that the petitioner claimed himself that he was in possession of some rare materials called Iridium and informed the defacto complainant to sell the same for a sum of Rs.40,00,000/-. The defacto complainant has not come forward with any money and demanded the accused to show the object to others instead of showing the object, the petitioner joining hands with other accused, attacked the defacto complainant with wooden sticks, which led to the registration of the FIR. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that it is a false acquisition and since the petitioner is having some bad antecedents, they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is having some bad antecedents of 18 previous case including the case of murder. Hence, she opposed the grant of anticipatory bail to the petitioner.

5. I have also gone through the FIR and other connected materials revealed that there was a quarrel between the parties and the petitioner is

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alleged to have been attacked the defacto complainant with stick. Further, it is also revealed that the defacto complainant has not taken any treatment.

Similarly the FIR was also registered after the delay of two days and hence, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate-II, Hosur, Krishnagiri District** 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 learned Magistrate concerned, and on further condition that:

(a) If the petitioner fails to surrender before the concerned 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 petitioner shall report before the**



respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

(d) The petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) The petitioner shall not abscond either during investigation or trial:

(f) 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 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]***;

(g) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

05.01.2026

Vv

To

1. The Judicial Magistrate-II,
Hosur, Krishnagiri District
2. The The Inspector of Police,
HUDCO Police Station,
Krishnagiri District.
3. The Public Prosecutor
High Court of Madras, Chennai 600 104.

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K.RAJASEKAR, J.

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