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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.02.2026

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD). No.1688 of 2026

Nagarajan

... Petitioner/Accused

Vs

The State of Tamil Nadu,
Rep By The Sub Inspector of Police,
Vadaseri Police Station,
Kanyakumari.

(Crime No.38 of 2026)

... Respondent/Complainant

For Petitioner : Mr.P.Rajeshkumar
For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)
For Intervenor : Mr.J.Jeevin

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Cr.No.38 of 2026 on the file of the respondent police.

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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 296(b), 118(1), 115(2), 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023 (Corresponding offence under IPC Section 294(b), 324, 323 and 506(ii) of IPC), in Crime No.38 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to business motive, the petitioner attacked the defacto complainant with deadly weapon and caused severe injuries to him. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged occurrence as stated by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. side) submitted that the injured is still in hospital.

5. The learned counsel for the intervenor submitted that the petitioner attacked the defacto complainant with hammer and still he needs further treatment, especially plastic surgery.

6. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with 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 days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Nagercoil, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 learned Judicial Magistrate No.II, Nagercoil, failing which, the



petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) While executing the sureties before the trial Court, the petitioner is directed to pay a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the defacto complainant directly.

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two 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 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]* and;



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(g) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

(S S Y J)
02.02.2026

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To

1. The Judicial Magistrate No.II,
Nagercoil.
- 2.The Inspector of Police,
Vadaseri Police Station,
Kanyakumari.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY, J.

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**ORDER
IN
CRL OP(MD) No.1688 of 2026**

02.02.2026