



CRL OP(MD). No.4796 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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Arun

... Petitioner/
Accused Not ranked

Versus

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
(Crime No.29 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.29 of 2026 on the file of the respondent police.

For Petitioner : Mr.P.Balamurugan

For Respondent : Mr.P.Kottaichamy,
Government Advocate
(Criminal Side)



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ORDER : The Court made the following order :-

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The petitioner/Accused, who apprehends arrest at the hands of the respondent police in Crime No.29 of 2026 for the offences punishable under Sections 296(b), 115(2) of BNS later altered into Sections 191 (2), 296(b), 115 (2), 105, 3(5) of BNS, 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 21.01.2026, the petitioner and other accused persons assaulted the defacto complainant's brother and subsequently he died. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that based on the confession the petitioner was falsely implicated in this case. He further submitted that co-accused had already been granted bail by this Court in CrI.O.P(MD) No.2727 of 2026, dated 11.02.2026. He further submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.



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4. The learned Government Advocate (Criminal Side) submitted that the co-accused had already been granted bail by this Court in CrI.O.P(MD) No.2727 of 2026, dated 11.02.2026. However, he opposed to grant anticipatory bail to the petitioner.

5. This Court has considered the rival submissions on either side.

6. Considering the facts and circumstances of the case and also the fact that the co-accused had already been granted bail by this Court in CrI.O.P(MD) No.2727 of 2026, dated 11.02.2026 and the material available against the petitioner the only confession of co-accused, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, this petition is allowed and the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Thiruvaiyaru,



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Thanjavur District, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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) the petitioner shall appear and sign before the respondent police daily at 10.30 a.m. until further orders.

(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;

(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



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down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala* [(2005) AIR SCW 5560]; and

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

05.03.2026

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To

1. The Judicial Magistrate Court,
Thiruvaiyaru,
Thanjavur District.
2. The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

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ORDER
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