



CRL OP(MD). No.9658 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 20/05/2026

CORAM

THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

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Arafath @ Mohamed Arafath

... Petitioner/ Accused No.3

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Chinthamani Police Station,
Madurai City, Madurai.
Crime No. 244 of 2026.

... Respondent/ Complainant

PRAYER :-

For Anticipatory Bail in Crime No. 244 of 2026 on the file of the respondent Police.

For Petitioner : M/s.A.Senthilvel,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

ORDER : The Court made the following order :-



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The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 296(b), 115(2), 118(1) & 351(3) of BNS Act, 2023, in Crime No.244 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity between A1 and the brother of the defacto complainant, on 10.05.2026, the petitioner and other accused are said to have assaulted the defacto complainant with bricks and threatened him with dire consequences. Hence, a case has been registered against the accused for the aforesaid offences. Hence, this petition.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has not committed any offence as alleged by the prosecution, and his name has been falsely implicated in the case. Hence, he prays for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) fairly submits that due to the dispute between A1 and the brother of the defacto



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complainant, the alleged occurrence was happened and the investigation is still pending. Hence, he opposes the grant of anticipatory bail to the petitioner. However, he fairly conceded that the injured was discharged from the hospital and the petitioner has no previous case.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions made on either side, the nature of the offences charged against the petitioner, and also considering the fact that the injured was discharged from the hospital and the petitioner has no previous case, I am inclined to grant anticipatory bail to the petitioner subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, 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 Judicial Magistrate Court No.IV, Madurai District, within a period of fifteen days from the date on which the order copy is made ready and on



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further conditions that:

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[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 report before the respondent police once in a week ie., on every Monday at 10.30 a.m. until further orders;

[c] the petitioner shall not commit any offences of similar nature.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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



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himself as laid down by the Hon'ble Supreme Court in

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P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can
be registered under Section 269 B.N.S, 2023.

(R V J)
20.05.2026

dss

TO

1. The Judicial Magistrate Court No.IV, Madurai District.
2. The Inspector of Police,
Chinthamani Police Station,
Madurai City, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR,J

DSS

ORDER
IN
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Date : 20/05/2026