

(2026) 05 MAD CK 1334

In the Madras High Court

Case No : Criminal Original Petition No. 13475 Of 2026

Ajay S And Others

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 27-05-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 3(5), 61(2)(a), 115(2), 118(1), 140(3), 191(3), 269, 296(b), 310(2), 351(3)

Citation : (2026) 05 MAD CK 1334

Hon'ble Judges : Mohammed Shaffiq, J

Bench : Single Bench

Advocate : N.Kamalanathan, Vinoth R, S.Yogaraja Sekar

Judgement

Mohammed Shaffiq, J

1. The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 191(3), 296(b), 115(2), 118(1), 140(3), 310(2), 351(3), 61(2)(a) and 3(5) of Bharatiya Nyaya Sanhita, 2023 in Crime No.138 of 2026 on the file of the respondent Police, seek anticipatory bail.

2. The learned counsel for the petitioners, pleading innocence on the part of the petitioners and false implication in the case, seeks indulgence of this Court. He submits that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution. He would further submit that the co-accused in this case have already been granted anticipatory bail in Crl.O.P.No.11880 of 2026 dated 07.05.2026. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Therefore, he prayed to grant anticipatory bail to the petitioners.

3. The case of the prosecution as put forth by the learned counsel for Government of Tamil Nadu (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail that when bank employees seized a vehicle belonging to one Mrs. Kaleeshwari due to the non-payment of loan dues, the

petitioners chased the vehicle engaged in a wordy quarrel and subsequently assaulted the defacto complainant. Hence, he opposed to grant anticipatory bail to the petitioners.

4. Having heard the learned counsel for the petitioners, the learned counsel for Government of Tamil Nadu (Criminal Side) for the respondent Police and perused the materials available on record and also considering that co-accused in this case have already been granted anticipatory bail in Crl.O.P.No.11880 of 2026 dated 07.05.2026, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate II, Madurantakam on condition that the petitioners shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 B.N.S.