
(2026) 05 MAD CK 1363

In the Madras High Court, Madurai Bench

Case No : Criminal Original Petition (MD) No. 9544 Of 2026

Kaviarasan

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 29-05-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 49, 109, 118(1), 269, 294(b), 296(b), 324, 351(3), 506(ii)

Citation : (2026) 05 MAD CK 1363

Hon'ble Judges : K.Murali Shankar, J

Bench : Single Bench

Advocate : P.Edin, D.Venkatesh

Judgement

K.Murali Shankar, J

1. The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 49, 296(b), 118(1), 351(3) of BNS (109, 294(b), 324 and 506(ii) IPC), in Crime No.199 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The prosecution's case is that the petitioner had developed an illicit relationship with the second accused. When the same was questioned by the defacto complainant, the petitioner allegedly assaulted her, leading to the lodging of the complaint.

3. The learned counsel appearing for the petitioner would submit that the complainant, suspecting the petitioner had illicit affair with the second accused, has lodged the false and frivolous complaint and only on that basis, the present FIR came to be registered. He would further submit that the petitioner is not having any bad antecedents.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the injured was already discharged from the hospital and the second accused was granted anticipatory bail by the Principal

Sessions Court, Ramanathapuram.

5. Considering the facts and circumstances of the case and also taking note of the fact that there existed dispute between the husband and wife; that the injured was already discharged from the hospital and that the petitioner is not having any previous case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Ramanathapuram, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand only) with two sureties each for a like sum 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 Aadhaar card or bank pass book to ensure their identity;

[b]the petitioner 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 petitioner shall not tamper with the 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 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 BNS, 2023.