

(2026) 05 MAD CK 1356

In the Madras High Court

Case No : Criminal Original Petition No. 13729 Of 2026

S Rajesh

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 29-05-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 115(2), 118(1), 191(1), 269, 296(b)
Indian Penal Code, 1860 — Section 146, 294(b), 323, 324

Citation : (2026) 05 MAD CK 1356

Hon'ble Judges : Mohammed Shaffiq, J

Bench : Single Bench

Advocate : Viswanathan Sb, S.Yogaraja Sekar

Judgement

Mohammed Shaffiq, J

1. The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 191(1), 296(b), 115(2) and 118(1) of the Bharatiya Nyaya Sanhita, 2023 (Sections 146, 294(b), 323 and 324 of the Indian Penal Code respectively) in Crime No.123 of 2026 on the file of the respondent Police, seeks anticipatory bail.

2. The learned counsel for the petitioner, pleading innocence on the part of the petitioner and false implication in the case, seeks indulgence of this Court. He submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Therefore he prayed to grant anticipatory bail to the petitioner.

3. The case of the prosecution as put forth by the learned Government Advocate appearing for the respondent police, opposing for grant of anticipatory bail, is that on 05.05.2026, when the defacto complainant questioned the petitioner, as he was not a local resident, a wordy quarrel arose between them, during which the petitioner assaulted the defacto complainant.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate for the respondent Police and perused the materials available on record and considering that no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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 Court, Polur, Thiruvannamalai District, on condition that the petitioner shall execute a 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 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, 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 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.