

Vijay Vs The State Rep by its

Vijay Vs The State Rep by its

SooperKanoon Citation : sooperkanoon.com/1415154

Court : Chennai

Decided On : Jan-12-2026

Judge : Honourable Mr.Justice K.Rajasekar

Appeal No. : CRL OP/616/2026

Appellant : Vijay

Respondent : The State Rep by its

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR CrI.O.P.No.616 of 2026

1. Vijay

2. Madhan Kumar ... Petitioners Vs. State rep by the The Inspector of Police,
Chithamur Police Station, Chengalpattu District. ... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of his arrest by the respondent police pending investigation in Crime No.248 of 2025 on the file of the respondent police. For Petitioners : Mr.V.Vijayakumar For Respondent : Ms.J.R.Archana Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 296(b), 115(2), 118(1) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.10 of 2026, pending investigation on the file of the respondent police seek anticipatory bail.

2. It is alleged that the defacto complainant is running a vegetable

shop on Polur Road. On 27.12.2025, the petitioner, along with the other accused, attacked a workman of the neighbouring shop, namely Sarath Kumar. When the defacto complainant and his wife questioned the same, the petitioners and others abused and assaulted the defacto complainant and his wife, which led to the registration of the FIR. Hence, the present petition.

3. The learned counsel appearing for the petitioners submitted that the

petitioners have not committed any offence as alleged by the prosecution and that they have been falsely implicated in this case. He further submitted that it is a case and counter case and that the injured has been discharged from the hospital. Therefore, he prayed that anticipatory bail be granted to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the

respondent police reiterated the prosecution case and submitted that the injured has been discharged from the hospital and that the investigation is still pending. Hence, he opposed the grant of anticipatory bail to the petitioners.

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

6. Considering the nature of the allegations, the fact that the injured

has been discharged from the hospital, and that the investigation in this case is pending, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the

event of arrest or on their appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned Judicial Magistrate, Cheyyur, Chengalpattu District on condition that each of the petitioners shall execute separate bonds for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days

from the date of receipt of a copy of this order, this order

shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left

thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the

learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have

been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]; (e)If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

12.01.2026 Vv To

1. The Judicial Magistrate, Cheyyur, Chengalpattu District
2. The Inspector of Police, Chithamur Police Station, Chengalpattu District. Krishnagiri District. 3.The Public Prosecutor High Court of Madras, Chennai 600 104.

K.RAJASEKAR, J.

Vv Crl.O.P.No.616 of 2026 12.01.2026

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com