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CRL OP No. 16959 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16959 of 2026

1. A.Dhanapal
No 38 Pillaiyar Koil Street Parasur Madurai P
O Parasur Thiruvannamalai District
2. Yasodha
W/o.Dhanapal,
No.39, Pillaiyar Kovil Street,
Parasur,
Madurai P.O. Parasur,
Thiruvannamalai District.

..Petitioners/
Accused 1 and 2

Vs

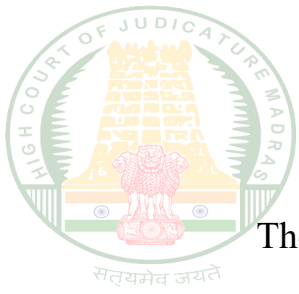
The State of Tamilnadu Rep by The Sub Inspector
of Police
Cheyyar Police Station,
Thiruvannamalai District.
Crime no.153 of 2026.

..Respondent/
complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in the
event of their arrest in connection with the Crime no.153 of 2026 on the file of
Respondent Police.

For Petitioner(s): MR. Appaswamee VR

For Respondent(s): MS.R.S.INDIRA, GOVT.ADVOCATE
(CRL.SIDE)



ORDER

The petitioners apprehend arrest for the alleged offence under Sections 296(b), 115(2), 118(1) and 351(2) of BNS, 2023 in Crime No.153 of 2026 on the file of the respondent police seek anticipatory bail.

2. According to the prosecution, the defacto complainant, Chandralekha, wife of Jagadeesan, lodged a complaint before the respondent police on 25.05.2026 alleging that, on 05.05.2026 at about 11.00 p.m., the petitioners criminally trespassed into her house, asserted that she had no right over the property in question, abused her in filthy language, and assaulted her with a wooden log, thereby causing injuries. Hence, a case has been registered.

3. The learned counsel for the petitioners submitted that the first petitioner is the father-in-law of the defacto complainant, while the second petitioner is her mother-in-law. According to the petitioners, the defacto complainant and her husband, Jagadeesan, who is the son of the petitioners, had been persistently pressurising them to execute a settlement deed in their favour in respect of the petitioners' property. As the petitioners refused to accede to their demand, the defacto complainant, her husband, and their associates allegedly assaulted the petitioners. It is further submitted that the present complaint has been lodged only as a counter blast to the said incident and with an ulterior motive to wreak vengeance and harass the petitioners. He further submitted that the petitioners



are innocent and they have not committed any offence as alleged by the defacto complainant and they have been falsely implicated in this case. He further submitted that they are ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that one previous case has been registered against the petitioner. The learned Government Advocate (Crl. Side) further submitted that the defacto complainant and the petitioners are close relatives. She further submitted that owing to a dispute relating to the property, the petitioners criminally trespassed into the house of the defacto complainant, questioned her right over the property, abused her in filthy language, and assaulted her with a wooden log, causing injuries. It was further submitted that the defacto complainant was admitted to the hospital on 25.05.2026 and was discharged on the same day. Hence, the learned Government Advocate opposed for grant of anticipatory bail.

5.This Court has considered the submissions made on either side.

6. Considering the submissions made by the learned Government Advocate (Crl. Side),and considering the relationship between the parties, the

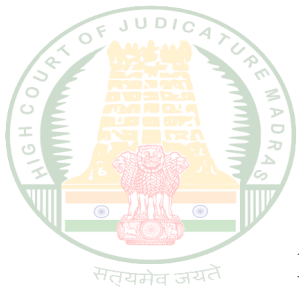


nature of the dispute, and the fact that the injured was discharged from the hospital on the date of admission, this Court is of the view that custodial interrogation of the petitioners is not required. Hence this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

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 is made ready, before the learned Judicial Magistrate Court, Cheyyar on condition that the petitioners shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), each with two sureties each, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fails to surrender before the concerned learned 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;



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(c) The petitioners shall appear before the respondent police as and when required for the purpose of 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

03-07-2026

JRS

To

1. The Judicial Magistrate Court, Cheyyar.

2. The Sub Inspector of Police
Cheyyar Police Station,
Thiruvannamalai District.
Crime no.153 of 2026.

3. The Public Prosecutor, Madras High Court.



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C.KUMARAPPAN, J.

JRS

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