



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 17033 of 2026

1. Kolanji
S/o Duraisamy,
Virugavur Village,
Kallakurichi Taluk,
Kallakurichi District.
2. Kalaimagal
W/o Kolanji,
Virugavur Village,
Kallakurichi Taluk,
Kallakurichi District.
3. Shri
D/o Kolanji,
Virugavur Village,
Kallakurichi Taluk,
Kallakurichi District.
4. Sanjai
S/o Kolanji,
Virugavur Village,
Kallakurichi Taluk,
Kallakurichi District.

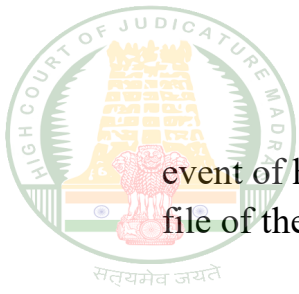
..Petitioners/
Accused

Vs

The State Rep By, The Inspector of Police
Varanjaram Police Station,
Kallakurichi.
Crime No.103 of 2026

..Respondent

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 his arrest in connection with the Crime No.103 of 2026 pending on the file of the respondent police.

WEB COPY For Petitioner(s):

Ms.T.R.Gayathiri

For Respondent(s):

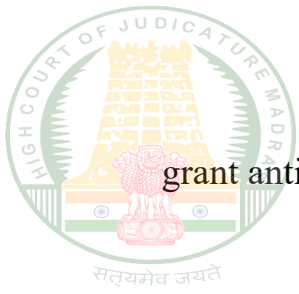
MS.R.S.INDIRA, GOVT.ADVOCATE
(CRL.SIDE)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 296(b), 115(2), 118(1), 351(2), 303(2) of BNS, 2023 in Crime No. 103 of 2026 on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that, due to previous enmity, the petitioners pushed the de facto complainant, repeatedly assaulted him, and beat him, thereby causing the alleged occurrence. Hence, the case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are falsely implicated in this case. He further submitted that 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.

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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 petitioners. The learned Government Advocate (Crl. Side) further submitted due to previous enmity, they pushed the de facto complainant and repeatedly assaulted him. It was further submitted that the investigation is in progress, 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), it is seen that there was previous enmity between the petitioners and the de facto complainant. It is the case of the petitioners that the present case is a counter case. Though the learned Government Advocate strongly opposed the said contention and submitted that seven sovereigns of gold are yet to be recovered, contending that grant of anticipatory bail at this stage would prejudice the prosecution case, this Court has taken note of the submissions made on either side. At this juncture, the learned counsel for the petitioners submitted that the alleged occurrence took place on 23.04.2023, whereas the First Information Report came to be registered only on 18.05.2026. Having



regard to the substantial delay in the registration of the FIR, this Court is of the considered view that the custodial interrogation of the petitioner is not necessary. Accordingly, 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 Principal District and Session Judge, Kallakurichi, 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;

(c) The petitioners shall appear before the respondent police at 10.30 am for the period of two weeks and thereafter as and when required for the purpose of interrogation.



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(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 Principal District and Session Judge, Kallakurichi.
2. The Inspector of Police
Varanjaram Police Station,
Kallakurichi.
Crime No.103 of 2026

3. The Public Prosecutor,
High court of Madras.



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CRL OP No. 17033 of 2



C.KUMARAPPAN, J.

JRS

CRL OP No. 17033 of 2026

03-07-2026