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CRL OP No. 21249 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-08-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 21249 of 2026

1. Nethaji
2. Kandavel
3. Mothi @ Mohankumar

..Petitioner(s)

Vs

The State Rep by
The Inspector of Police
Nemili Police Station,
Ranipet District.
Crime no.204 of 2026.

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 482 of BNSS Act, 2023, pleaded to enlarge the petitioner on anticipatory bail in the event of his arrest in connection with Crime no.204 of 2026 on the file of the Respondent.

For Petitioner(s):	S Deivasigamani
For Respondent(s):	M/s.R.S.Indira Government Advocate(Criminal side)

ORDER

The petitioners apprehend arrest for the alleged offences under Sections 126 (2), 296 (b), 115 (2), 118 (1), 351 (3) BNS Act, 2023, in Crime No.204 of 2026 on the file of the respondent police seek anticipatory bail.

2.The case of the prosecution is that on 26.07.2026, due to a wordy quarrel at a temple festival, the petitioners, along with the other accused, assaulted the defacto-complainant. Consequently, the defacto-complainant sustained injuries and was admitted to hospital. Hence, the case.



3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. He further submitted that the second petitioner has already been arrested and released on bail. He also submitted that A1 has already been released on anticipatory bail on 30.07.2026 in Crl.O.P.No.20676 of 2026. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that no previous case has been registered against the first and third petitioners. He further submitted that the occurrence took place on 26.07.2026 and the injured person was discharged from the hospital on 29.07.2026. Hence, he opposed for the grant of anticipatory bail to the petitioners.

5. The learned counsel for the intervenor strongly opposed this petition on the ground that the injured sustained serious injuries, and if the petitioners are released, there is a possibility of recurrence and a life threat to the defacto-complainant.

6. Since, the second petitioner was already arrested and released on bail, this petition is dismissed as against the second petitioner. Looking into the factual position, as the first and third petitioners have no criminal antecedents,



the co-accused have already released on bail and that the injured person has been discharged from the hospital, this Court is of the firm view that the custodial interrogation of the first and third petitioners is not necessary at this juncture. Hence, this Court is inclined to grant anticipatory bail to the first and third petitioners, subject to certain conditions.

7. Accordingly, the first and third 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 **Judicial Magistrate Court, Arkkonam, Ranipet District**, on condition that **the first and third petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 first and third 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.KUMARAPPAN, J.

(c) The first and third petitioners shall stay at Vellore for a period of two weeks; thereafter report before the respondent Police 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 first and third petitioners in accordance with law as if the conditions have been imposed and the petitioner 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 first and third petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

07-08-2026

EP

To

1.The Judicial Magistrate Court,
Arkkonam, Ranipet District.

2.The Inspector of Police
Nemili Police Station,
Ranipet District.

3.The Public Prosecutor
High Court of Madras.

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