



WEB COPY

CRL OP No. 22687 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-08-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 22687 of 2026

1. Parasuraman
2. Parthiban
3. Ellappan
4. Vijaya

..Petitioners

Vs

The State of Tamil Nadu,
represented by
The Inspector of Police,
Polur Police Station,
Tiruvannamalai District - 606 904.
Crime No.197 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail to in the event of their arrest in connection with Crime No.197 of 2026 on the file of the Inspector of Police, Polur Police Station, Tiruvannamalai District.

For Petitioners: Mr.Sanjay Davidson

For Respondent: Mr.R.Rajasekaran
Counsel for Government of Tamil Nadu
(Criminal Side)

For Intervenor: Mr.S.Silambu Selvam

ORDER

The petitioners apprehends arrest for the alleged offences under Sections 191(2), 191(3), 329(3), 296(b), 133, 115(2), 351(2), 108 and 74 of the Bharatiya



Nyaya Sanhita, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, 2002 in Crime No.197 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that there was a civil dispute between the petitioners and the de facto complainant family regarding share over the ancestral property and in that regard Civil Suit is also pending before the Learned Sub-Court. On 05.08.2026 at 11.30 a.m, the surveyor along with VAO visited the property for survey the property, however, the officials were not demarcating the property due to threaten given by the accused with deadly weapons. Due to which, the de facto complainant and his family members did not give a complaint. Thereafter, the de facto complainant's father Archunan at 8.00 PM on the same day came to house and informed about the loss of his reputation and the life threat by the accused, he drunk poison. On 07.08.2026, the de facto complainant's father died. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the de facto 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 counsel for the Intervenor submitted that that second petitioner is the son of the first petitioner. On 05.08.2026, the surveyor along with VAO, reached the place of the property. At that time, petitioner along with others trespassed and entered the de facto complainant property using deadly weapons attacked the de facto complainant's family. Due to which, the de facto complainant's father has committed suicide. Hence, he opposed the grant to anticipatory bail.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that pending this application, 1st, 2nd and 4th petitioners have already been arrested. Hence, he opposed the grant of anticipatory bail.

6. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

7. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side); taking into consideration of the nature and gravity of allegation and taking into consideration of the submissions made by either side, it is observed that both the



parties are close relatives and there is a civil dispute pending between them and immediately before this occurrence, there was an attempt to measure the land through the Revenue Authorities, during which time, this occurrence took place. According to the de facto complainant, the father of the de facto complainant was not able to bear the insult caused to him and committed suicide. Further, it is now evident that the 1st, 2nd and 4th petitioners have already been arrested. **Hence, the petition is dismissed as infructuous insofar 1st, 2nd and 4th petitioners are concerned and this Court is inclined to grant anticipatory bail to the 3rd petitioner.**

8. Accordingly, the 3rd petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Polur**, on condition that **the 3rd petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the 3rd petitioner 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 3rd petitioner shall stay at Salem District and report before the Inspector of Police, Suramangalam B 11 Police Station, Salem District everyday at 10.30 a.m., until further orders;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the 3rd petitioner in accordance with law as if the conditions have been imposed and the 3rd 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 3rd petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

8. In the result, this Criminal Original Petition is allowed insofar as the 3rd petitioner is concerned and dismissed as infructuous insofar as the 1st, 2nd and 4th petitioners are concerned.

SHL

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N.RAMESH J.

SHL

To:

1. The Inspector of Police,
Polur Police Station,
Tiruvannamalai District

2. The Judicial Magistrate,
Polur

3. The Public Prosecutor
High Court of Madras

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