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Crl.O.P.No.277 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.277 of 2026

1.Vengadachalam S/o.Nallapan
2.Nallapan S/o.Nallapan
3.Palaniyammal W/o.Nallapan
4.Arumugam S/o.Nallapan

... Petitioners/ A1-4

Vs

The State Rep. By,
The Inspector of Police,
Macheri Police Station,
Salem District.
(Crime No.706 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on
anticipatory bail in the event of arrest by the respondent in Crime No.706 of
2025 on the file of the respondent police.

For Petitioners : M/s.Pandi Meena

For Respondent : M/s. J.R. Archana
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehends arrest at the hands of the respondent
police for the offences punishable under Sections 296(b), 115(2), 118(1) and
303(2) of BNS in Crime No.706 of 2025 on the file of the respondent
Police, seek anticipatory bail.



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2. The case of the prosecution is that the petitioners herein who are ranked as A1 to 4 in this case and they are neighbours of the complainant and they quarreled with the complainant and attacked him with the wooden log and hands, due to which the *defacto* complainant sustained injuries and also they took away 5 sovereigns of gold with them. Hence, the *defacto* complainant lodged a complaint before the respondent police.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they are innocent and had not committed any offences as alleged in the complaint; there is no previous case as against the petitioners; and that the petitioners are ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioners. He would submit that regarding the same, a counter case is also registered in Cr.No.707 of 2025 on the file of the very same police station.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioners reiterated the prosecution case and submitted that as per the complaint, petitioners assaulted the complainant using wooden log, due to which, he



sustained injuries and the injured got discharged from the hospital and that the investigation of this case is pending.

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5. Considering the submissions made, facts and circumstances of this case, nature of allegation, the fact that the injured got discharged from the hospital and there is a counter case for the very same occurrence; this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.2, Mettur**, on condition that the petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioners fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of 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 the identity proofs to ensure their identity;

[c] the petitioners shall report before the respondent police daily evening at 6.30.p.m., for a period of four weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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K. RAJASEKAR, J.

ssa

To

1. The Judicial Magistrate No.2, Mettur.
2. The Inspector of Police,
Macheri Police Station,
Salem District.
(Crime No.706 of 2025)
3. The Public Prosecutor,
High Court of Madras.

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