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CRL OP No. 243 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 243 of 2026

1. Dhanachezhiyan

2. Dhayalan

3. Pushpa

Petitioner(s)

Vs

State Rep.by, The Inspector of Police,
Sunguvarchatram Police Station,
Kancheepuram District.
(Crime No.425 of 2025)

Respondent(s)

PRAYER: This Criminal Original Petition is filed under 482 of BNSS to enlarge the petitioners on bail in the event of their arrest in connection with the crime no.425 of 2025 pending investigation on the file of the respondent police.

For Petitioner(s): Mr.D.Dayalan
For Intervenor (S): Mr.V.Premkumar
For Respondent(s): Ms.J.R.Archana, GA (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(2) of BNSS Act, 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in connection with the Cr.No.425 of 2025, seeks anticipatory bail.



2. The allegations against the petitioners is that on the alleged date of occurrence, the petitioners released waste water into defacto complainant's house, which was questioned by the defacto complainant along with her parents, due to which, there was a quarrel between them. At that time, petitioners abused defacto complainant and her family members in filthy language, and the first petitioner attacked the defacto complainant's father by using iron rod, causing grievous injuries. Hence, the case.

3. Learned counsel for the petitioners submitted that the petitioners are innocent persons, and they have been falsely implicated in this case by the respondent police and ready to abide by any stringent condition that may be imposed by this Court. He further submit that the 2nd and 3rd petitioners are aged persons and prays for grant of anticipatory bail to the petitioners.

4. The learned counsel for the Intervenor would submit that first petitioner attacked the injured and the defacato complainant using iron road, causing grievous injuries to them. He further submit that the injured has lost his vision and still undertaking treatment. Hence, he, vehemently opposed for grant of anticipatory bail to the petitioners.

5. Learned Government Advocate (Criminal Side) appearing for the



respondent police reiterated the prosecution's case and on instructions, submitted that the first petitioner attacked the injured using iron rod, due to which, he lost his vision and still undertaking treatment, there is no previous case pending against them and that the investigation in this case is still pending and opposed for grant of anticipatory bail to the petitioners.

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

7. Considering the submissions made by the learned counsel appearing on either side, the overtact levelled against the second and third petitioners, who did not use any weapon while attacking the injured and their age, I am inclined to grant anticipatory bail to the second and third petitioners with certain conditions.

8. Since, the first petitioner used iron rod while attacking the injured, who still undergoing treatment and considering the stage of investigation, I am not inclined to grant anticipatory bail to the first petitioner.

9. Accordingly, the second 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 made ready, before the learned **Judicial Magistrate, Sriperumbudur** on condition that the second and third 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] the second and third petitioners shall report before the respondent police daily at 10.30 am., for a period two weeks and thereafter as and when required for interrogation.

[b] the second and third petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[c] the second and third petitioners shall not leave India without the previous permission of the Court;

[d] the second and third petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the the second and third petitioners in accordance with law as if the conditions have been imposed and the second and third petitioners s 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)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered



under Section 269 B.N.S.2023.

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10. Accordingly, this Criminal Original Petition seeking anticipatory bail is allowed for the second and third petitioners and dismissed for the first petitioner.

08-01-2026

Jai

To

1. The Inspector of Police,
Sunguvarchatram Police Station,
Kancheepuram District.
2. The Judicial Magistrate,
Sriperumburdur.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.

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