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Crl.OP.No.460 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2026

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THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.460 of 2026

1. Saravanan
2. Anitha

... Petitioners

Vs.

The State rep by its
The Inspector of Police,
Sankari Police Station,
Salem District.
(Cr.No.569 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of
arrest in Cr.No.569 of 2025 by the respondent police pending investigation
and grant anticipatory bail.

For Petitioners : Mr.S.Bharanidharan

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under
Sections 329, 296(b), 118(1), 115(1) of BNS r/w Section 4 of TNPWH Act



in Crime No.569 of 2025, on the file of the respondent police seek anticipatory bail.

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2. The allegation against the petitioners is that due to previous enmity regarding money dispute, the petitioners have abused and assaulted the defacto complainant with iron rod and wooden log and caused injuries to him, which led to the registration of an FIR. Hence, the present case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that it is a case and case in counter. The petitioners are ready to co-operate with the investigation and abide by any conditions that may be imposed by this Court. Hence, he prayed that anticipatory bail be granted to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the it is a case and counter case, injured discharged from the hospital and there is no previous cases as against the petitioner. However, he opposed the grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.



6. Considering the nature of allegations and the fact that it is case and counter case, injured discharged from the hospital and no previous cases reported as against the petitioner, I am inclined to grant anticipatory bail to the petitioners. subject to certain conditions.

6. 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 made, before the learned **Judicial Magistrate Court-I, Sankari** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioner fails to surrender before the concerned 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, 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 petitioner 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 accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

12.01.2026

Vv

To

1. The Judicial Magistrate Court-I, Sankari
2. The Inspector of Police,
Sankari Police Station,
Salem District
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.

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K.RAJASEKAR, J.

Vv

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