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CrI.O.P.No.1321 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2026

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THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

CrI.O.P.No.1321 of 2026

1.Sennath Kumar

2.Soniya @ Soniyagandhi

... Petitioners/A1 & A2

Vs.

The State represented by
The Inspector of Police,
Omerabad Police Station,
Tirupathur District.
(Crime No.421 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in event of arrest pending investigation in Crime No.421 of 2025 on the file of the respondent police.

For Petitioners : Mr.Siddharth.S

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

ORDER

The petitioners apprehend arrest for the alleged offence **under Section 296(b), 115(2), 118(1), 351(3) and 74 of BNS r/w Section 3 of TNPPDL Act** in **Crime No.421 of 2025** on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners have



developed quarrel with the defacto complainant and damaged the water pipe which was used by the defacto complainant and also assaulted him with knife and thereby caused injury. Hence, a case has been registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any such offence as alleged by the defacto 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 Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the injured has been discharged from the hospital and no previous cases have been registered against them. However, she opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side); the nature of allegations levelled against the petitioners; and taking note of the fact that



the petitioners are not having previous bad antecedents and also the fact that the injured has been discharged from the hospital, this Court is 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 is made ready, before the **learned Judicial Magistrate, Ambur at Tirupathur**, on condition that **the petitioners shall execute a separate 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 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,

K.RAJASEKAR, J.

ssi

2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;



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Crl.O.P.No.1321 of 2020

(c) The petitioners shall report before the respondent Police everyday at 10.30 a.m., for a period of three 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***;

(f) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

22.01.2026

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To

- 1.The Judicial Magistrate, Ambur at Tirupathur.
- 2.The Inspector of Police, Omerabad Police Station, Tirupathur District.
- 3.The Public Prosecutor, High Court of Madras.

Crl.OP.No.1321 of 2026