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Crl.O.P.No.2302 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2026

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THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.2302 of 2026

1.A.Kanniyappan
2.Nathiya
A2

... Petitioners/A1 &

Vs.

The State
Rep by Inspector of Police,
T-21, Kilambakkam Police Station,
Tambaram City.
(Crime No.11 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in the event of arrest pending investigation in Crime No.11 of 2026 on the file of the respondent police.

For Petitioners : Mr.Arumugam Mohan
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence **under Sections 296(b), 115(2), 118(1) of BNS in Crime No.11 of 2026** on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that due to wordy quarrel



the petitioners abused the defacto complainant with filthy language and also assaulted him with wooden log on his face and thereby caused injuries.

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 offence as alleged by the defacto complainant and they have been falsely implicated in this case due to quarrel between the petitioners and the defacto complainant. He further submitted that it is a case and case in counter in Crime No.10 of 2026 registered against the defacto complainant. 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 bad antecedents 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 submissions made by the learned counsel on both sides, the nature of allegations levelled against the petitioners, no previous bad antecedents have



been registered against them; and a counter case has been registered against the defacto complainant and also considering the fact that the injured has been discharged from the hospital, 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 is made ready, before the **learned Judicial Magistrate-I, Tambaram**, 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,

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

(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]*;

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

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To

- 1.The Judicial Magistrate-I, Tambaram.
- 2.The Inspector of Police, T-21, Kilambakkam Police Station, Tambaram City.
- 3.The Public Prosecutor, High Court of Madras.

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