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Crl.O.P.No.2008 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2026

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.2008 of 2026

Balamurugan

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police,
Omalur Police Station,
Salem District.
Crime No.730 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.730 of 2025 on the file of the respondent police.

For Petitioner : Mr.J.Lingeswaren

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



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ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNS, 2023 in Crime No.730 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that the defacto complainant and A2 are relatives and due to land dispute with regard to ancestral properties, the petitioners abused the defacto complainant by using filthy language and also assaulted with iron rod in his fact as well as head and shoulder and thereby caused injury. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that co-accused had been granted anticipatory bail. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured has been discharged from the hospital. Hence, he opposed for grant of bail to the petitioner.



5. I have gone through the FIR and other connected records.

6. Considering the nature of offence allegations, the fact that the injured has been discharged from the hospital and also the fact the co-accused had been granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Omalur, Salem**, on condition that the petitioner shall execute a 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 condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten 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 the identity 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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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.

05.02.2026

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To

1. Judicial Magistrate Court, Omalur
2. The Inspector of Police,
Omalur Police Station,
Salem District.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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