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Crl.O.P.No.5788 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2026

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Crl.O.P.No.5788 of 2026

1.Arockia Clement
2.Raja @ Christuraj
3.Simson Daniel @ Kaurli

... Petitioners

Vs.

State, rep. by
The Sub Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.
(Crime No.414 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of arrest pending investigation in Crime No.414 of 2025 on the file of the respondent police.

For Petitioners : Mr.S.Sathya
For Respondent : Mr.P.Dhileepan
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence **under Sections 296(b), 132 and 351(2) of the Bharatiya Nyaya Sanhita (BNS), 2023** corresponding offence **under Sections 294(b), 353, 506(i) IPC** in **Crime No.414 of 2025**, on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the petitioners and their family



members residing on the Government Porampokku land and that, on the date of occurrence, the defacto complainant and the contractor went there for carrying road work, the petitioners abused and threatened the defacto complainant. Hence, the case.

3. The learned counsel for the petitioners submitted that the defacto complainant is the BDO officer, who attempted to lay a road in the petitioners land, which was objected by the petitioners and in this regard, the First Information Report has been registered on 31.10.2025 against the petitioners. He further submitted that the petitioners are innocent and they have nothing to do with the similar offence and that they have been falsely implicated in this case and that they are ready to co-operate with the investigation. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution's case and, upon instructions, he would fairly submit that the investigation has been completed and that the charge sheet has been filed before the Court on 03.03.2026. However, he strongly opposed to grant anticipatory bail to the petitioners.

5. Heard the submissions made by the learned counsel on either side and perused the materials available on record.



6. In such view of the factual position, the custodial interrogation of the petitioners does not require. Hence, this Court is inclined to enlarge them on anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory 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-II, Houser**, 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 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;

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(c) The petitioners shall sign before the respondent



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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 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 No.II, Houser.
- 2.The Sub Inspector of Police, Mathigiri Police Station, Krishnagiri District.
- 3.The Public Prosecutor, High Court of Madras.

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