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CRL OP No. 2439 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2439 of 2026

1. M. Balamurugan

S/o. Munusamy,

At Mettu Street,.

Keezh Maruvathur,

Melmaruvathur Post,

Cheyyur Taluk.

2. Rani

W/o. Munusamy,

At Mettu Street,.

Keezh Maruvathur,

Melmaruvathur Post,

Cheyyur Taluk.

Munusamy

S/o.Late. Duraisamy,

At Mettu Street,.

Keezh Maruvathur,

Melmaruvathur Post,

Cheyyur Taluk.

..Petitioner(s)



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Vs

The State Rep.by, The Inspector of Police,
G3,Melmaruvathur Police Station,
Chengalpattu District.
Cr.No.16/2026.

..Respondent(s)

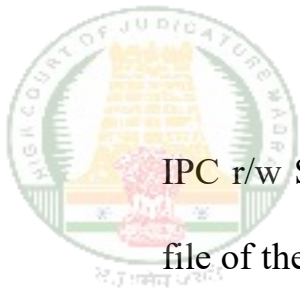
Prayer: This petition is filed under Section 482 of BNSS to enlarge the petitioners on bail in the event of their arrest relating to the alleged offences in Crime No. 16/2026 on the file of the Respondent / Police.

For Petitioner(s): D. Murthy
K. Bhasker

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of



IPC r/w Section 4 of Women Harassment Act in Crime No.16 of 2026, on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that there was a dispute between the petitioners and the defacto complainant with regard to sharing the water. Due to which quarrel arose between them and the petitioners attacked the defacto complainant with stones and caused injuries to her and also threatened her with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that due to previous enmity a false complaint has been lodged against the petitioners. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and submitted that due to previous enmity the petitioners attacked the defacto complainant and caused injuries to her. He further submitted that there is no previous case as against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.



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

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6. Considering the facts and circumstances of the case and the submissions made by both counsel and the nature of offence and there are no previous case pending against the petitioners, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate-II Madurantakam** on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(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;

(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 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.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SMN



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To.

1. The Judicial Magistrate-II Madurantakam

2. The Inspector of police,

G3 Melmaruvathur Police Station,

Chengalpattu District.

3. The Public Prosecutor,

High Court, Madras



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K.RAJASEKAR, J.

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