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CRL OP No. 2537 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. 2537 of 2026

1.Jayaraman
2.Sivanesan
3.Tamilselvi
4.Sankar

..Petitioner(s)

Vs

The State Rep.by,
The Inspector of Police,
Harur Police Station,
Dharmapuri District.
Cr.No.53 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail, in the event of
their arrest in Cr.No.53 of 2026 on the file of the respondent police.

For Petitioner(s):	Mr.Nelson Britto
For Respondent(s):	Ms.J.R.Archana Government Advocate (Crl.side)

Order

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



in Crime No.53 of 2026 registered on the file of the respondent police, seeks anticipatory bail.

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2. The allegation against the petitioners is that on 27.01.2026, at about 2.00 p.m., while the defacto complainant was surveying his land along with the VAO, the petitioners came there and the first petitioner attacked the defacto complainant with a spear, the second petitioner attacked him with a knife, and the other petitioners assaulted the victims with iron rods, causing injuries to three persons. Hence, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case. He further submitted that, due to a civil dispute between the parties, the defacto complainant trespassed into the disputed property and assaulted the petitioners with an iron rod, as a result of which the petitioners sustained injuries. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the first petitioner has one previous case of a similar nature pending against him, whereas the second, third and fourth petitioners have no previous cases against them. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the nature of the allegations and the manner in which the occurrence took place, more particularly when Government officials were present at the time of occurrence and the petitioners attacked the defacto



complainant, and in view of the fact that the first petitioner has one previous case of a similar nature pending against him, this Court is not inclined to grant anticipatory bail to the first petitioner. Accordingly, this Criminal Original Petition is dismissed as far as the first petitioner is concerned.

As far as the second, third and fourth petitioners are concerned, since they have no previous cases against them, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions:

6. Accordingly, the second, third and fourth petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Harur, on condition that each of the petitioners shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand Only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police, daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;



(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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) AIR SCW 5560]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

04-02-2026

DRL

To

1. The Inspector of Police,
Harur Police Station,
Dharmapuri District.

2. The Judicial Magistrate,
Harur.

3. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR J.

DRL

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