



WEB COPY

Crl.O.P.No.3288 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2026

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.3288 of 2026

1.Rajesh
2.Rajkumar
3.Govindharaj

... Petitioners / A1, A2 & A6

Vs.

State Rep. by the Inspector of Police,
Palacode P.S.,
Dharmapuri.
(Crime No.26 of 20256)

... 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.26 of 2026 on the file of the respondent police.

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

ORDER

The petitioners who apprehend arrest for the alleged offence **under Sections 191(2), 191(3), 296(b), 118(1), 351(3) of the Bharatiya Nyaya Sanhita, 2023 and altered into under Section 191(2), 191(3), 296(b), 118(1), 351(3), 109(1) of The Bharatiya Nyaya Sanhita, 2023 in Crime No.26 of 2026** on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that allegation against the petitioners is that the petitioners along with others entered into the street with sticks and wooden logs during Pongal festival and the same was questioned by the defacto complainant, the petitioners abused the defacto complainant using filthy language and assaulted with stick on his head and thereby caused serious injuries and also threatened him with dire consequences. Hence a case has been registered on the basis of complaint lodged by the defacto complainant.

3. The learned counsel for the petitioners submitted that the petitioners are not committed any offence as alleged by the defacto complainant and they have been falsely implicated in this case and that co-accused in this case already granted anticipatory bail by this Court in Crl.O.P.No.2588 of 2026 dated 05.02.2026. He further submitted that they are ready to abide by any conditions that may be imposed by this Court and ready to cooperate 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 petitioners are ranked as A1, A2 and A6 and that one previous case of similar in nature has been registered against them. He further submitted that the injured has been discharged from the hospital. Hence, she opposed to grant anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case; and the



submissions made by the learned counsel on both sides and though one previous bad antecedents has been registered against them, 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.

7. 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, Palacode**, 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;

K.RAJASEKAR,J.

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(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 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 petitioner 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

11.02.2026

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To:

- 1.The Judicial Magistrate, Palacode.
- 2.The Inspector of Police, Palacode P.S., Dharmapuri.
- 3.The Public Prosecutor, High Court of Madras.

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