



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2836 of 2026

1. Vinodh Kumar
2. Sumathi Vinayagam
3. K. Sudha
4. Mahalakshmi

..Petitioner(s)

Vs

The State Rep.by., The Inspector of Police

Kundrathur Police Station.

Kanchipuram District

(Crime No. 42 of 2026)

..Respondent(s)

Prayer: This petition is filed under Section 482 of BNSS to enlarge the petitioners on Bail in the event of his arrest, pending investigation in the Crime No. 42 of 2026, on the file of the respondent police.



For Petitioner(s): Mr. M. Karthik

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

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ORDER

The petitioners, who apprehends arrest by the respondent police for the offences punishable under Sections 296(b), 115(2) 353(2) of BNS 2023 and Section 4 of Women Harassment Act in Crime No.42 of 2026 seeks anticipatory bail.

2.The case of the prosecution is that the petitioners herein and the defacto complainant are neighbours. It is alleged that the first petitioner/A1 has constructed a building by violating the building rules. It is stated that there was a judicial order passed by this Court in W.P.No.24044 of 2025 to demolish the building, inspite of the same the first petitioner is attempting to do construction and when the same was questioned by the defacto complainant, dispute arose between them. Due to which the petitioners attacked the defacto complainant. Hence, the complaint.



3. The learned counsel appearing for the petitioners submitted that the petitioners have not attacked the defacto complainant and there was only a wordy quarrel among them to restrain the construction of the first petitioner's building, due to which they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioners have attacked the defacto complainant and caused injuries to him. He further submitted that there was some dispute in the property of the first petitioner and he has also filed a petition before this Court and the same is pending. He also submitted that investigation in his case is pending and if the petitioners are released on anticipatory bail it will hamper the investigation process. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioners as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side; nature of offence and other factors; the fact that there was only a wordy



quarrel among the petitioners and the defacto complainant with regard to the construction of the house, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate Court, Sriperumbudur***, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand Only), with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or 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 petitioner 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;

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



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

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

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

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SMN

To

1. The *Judicial Magistrate Court, Sriperumbudur*,
2. The Inspector of Police, Kandrathur Police Station.

Kanchipuram District .

3. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

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