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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 3028 of 2026

1. Iyyappan
2. Selvi
3. Hariharan

..Petitioner(s)

Vs

The State Rep.by, The Inspector of Police,
Gudimangalam Police Station,
Tiruppur District.
Cr.No.26/2026.

..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. 26/2026 on the file of the Respondent / Police.

For Petitioner(s): Mr.Deepan Uday

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



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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 BNS(294,323,324,506 of IPC) in Crime No.26 of 2026, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the first and second petitioner are husband and wife and third petitioner is the son of the first petitioner. It is alleged that due to previous enmity the petitioners trespassed into the house of the defacto complainant and attacked him with knife and caused injuries on the face near the eye and also threatened him 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 they are ready to co-operate with the investigation and abide by any other stringent conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioners.

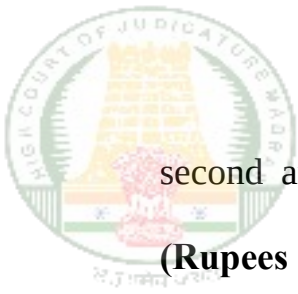


4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and reported that the injured still in hospital and the petitioners are not having any previous case. However, he strongly opposed the grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record including the F.I.R

6 Considering the facts and circumstances of the case it is seen that the first petitioner is the main accused in this case who has attacked the victim grievously. **Hence this petition is dismissed for the first petitioner/Iyyappan.** Considering the submissions made by both counsels, and taking note of the facts of the case and role of the second and third petitioners and there is no previous cases pending against the them, I am inclined to grant anticipatory bail to the second and third petitioners subject to certain conditions.

7. Accordingly, the second and third 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, Udumalpet, Tiruppur** on condition that the



second and third petitioners 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 second and third 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 second and third 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 second and third 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]*;

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(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

To.

1. The **Judicial Magistrate-II, Udumalpet, Tiruppur**

2. The Inspector of police,
Gudimangalam Police Station,
Tiruppur District.

3. The Public Prosecutor,
High Court, Madras



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K.RAJASEKAR, J.

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