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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 3491 of 2026

Ganeshan

Petitioner-A2

Vs

The State, Rep. By

The Inspector of Police

Edapadi Police Station

Salem District

Crime No. 17 of 2026.

...Respondent

Prayer: Criminal Original Petition is filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No. 17 of 2026 on the file of respondent police.

For Petitioners : Mr.T.N. Rangesh Kanna

For Intervenor : Mr.S.John Josh

For Respondent : Ms.J.R.Archana

Government Advocate, Criminal Side

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(1), 351(3) BNS and thereafter Section altered into 296(b), 115(1), 117 and 351(2) of BNS in Crime No.17 of 2026, on the file of the respondent Police, seek anticipatory bail.



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2. The allegation against the petitioner is that the petitioner is a neighbour of the de-facto complainant, allegedly had a wordy quarrel and the petitioner along with other accused attacked the de-facto complainant with hands and legs over a land dispute after conducting survey the land and the petitioner & others caused severe injuries. Hence, the case has been registered against the petitioner & others. A1 and A3 were arrested and released on bail.

3. The learned counsel for the petitioner submitted that the petitioner who is ranked as A2, has been falsely implicated in this case. He further submitted that the counter case in Crime No. 16 of 2026 has been registered against the de-facto complainant and the victim is discharged from the hospital and the petitioner is having one previous case. He also submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.



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4.Mr.S.John Josh, learned Counsel for the Intervener submitted that the petitioner is having one previous case similar in nature. He further submitted that the petitioner continuously along with his family members disturbing the de-facto complainant and attacked them. He strongly opposed to grant anticipatory bail to the petitioner.

5.The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submitted that the petitioner along with others attacked the de-facto complainant with hands and legs and caused severe injuries. He further submitted that the injured is discharged from the hospital. He further submitted that if the anticipatory bail is granted to the petitioner he would indulge in similar offences in the future. However, he opposed to grant anticipatory bail to the petitioner.

6. Considering the nature of allegations, and the fact that the injured is discharged from the hospital; that though the petitioner is having one previous case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Edapadi**, on condition that the petitioner shall execute a 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 condition that:

(a) If the petitioner fail to surrender before the concerned Magistrate, within a period of fifteen 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 the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police daily 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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

13.02.2026

MSM

To

1.The Inspector of Police
Edapadi Police Station
Salem District
Crime No. 17 of 2026.

2. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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