



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.3969 of 2026

1.Gnanavel
2.Menaka
3.Tharani

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Perumbalai Police Station,
Dharmapuri District.
(Crime No.08 of 2026)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, 2023, to
enlarge the petitioners on bail in the event of their arrest in Crime No.08 of
2026 on the file of the respondent police.

For Petitioners : Mr.S.Velmurugan

For Respondent : M/s.J.R.Archana
Government Advocate (Crl. Side)

For Intervener : M/s.Geethalakshmi for
Mr.J.Pradeep

ORDER

The petitioners/A1 to A3 apprehends arrest at the hands of the



respondent police for the alleged offences punishable under Sections 296(b), 118(1), 74, 126(2) and 351(3) of BNS, 2023 in Crime No.08 of 2026, on the file of the respondent police, seek anticipatory bail.

2. The allegation against the petitioners is that due to property dispute, the petitioners A1 to A3 attacked the defacto complainant with wooden log and caused grievous injuries. Hence, a case has been registered.

3. The learned counsel appearing for the petitioners submitted that it is a case of false acquisition and that a counter case has also been registered against the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned counsel for the intervener submitted that, even prior to the registration of the FIR, there were three earlier occurrences and that this is the fourth time incidence, in which the petitioners attacked the defacto complainant. He further submitted that if the petitioners are released on bail, they may indulge in similar offences. Hence, he opposed to grant bail to the petitioners.

5. The learned Government Advocate (Cr1.Side) appearing for the respondent reiterated the prosecution case and submitted that the injured is discharged from the hospital. She further submitted that the present case is a counter case in Crime No.7 of 2026 registered against the defacto complainant and that the petitioners have no previous cases pending against them. Hence,



she opposed to grant anticipatory bail to the petitioners.

6 Heard both sides and perused the materials available on record.

7. Considering the nature of the allegations, and the petitioners are not having any previous case; that there is a counter case in Crime No.7 of 2026; that the injured was discharged from the hospital, this Court is of the view that the custodial interrogation of the petitioners is not necessary to investigate the case of this nature, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned District Munsif cum Judicial Magistrate, Pennagaram*, on condition that the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only), each 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 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.

18.02.2026

drl

To

1.The District Munsif cum Judicial Magistrate,
Pennagaram.

2.The Inspector of Police,
Perumbalai Police Station,
Dharmapuri District.

3.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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