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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.4064 of 2026

1.Selvam
2.Nithya
3.Nithish

... Petitioners

Versus

The State rep by its,
The Inspector of Police,
Pagandai Kootusalai Police Station,
Kallakurichi District.
(Crime No.11 of 2026)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.11 of 2026 on the file of the respondent police.

For Petitioners : Mr.B.Pachaiyappan

For Respondent : Mr.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest by the respondent police for the alleged offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS in Crime No.11 of 2026 registered on the file of the



respondent police, seeks anticipatory bail.

2. The allegation against the petitioners is that a wordy quarrel arose with regard to grazing of goats in the defacto complainant's land, during which the petitioners assaulted the defacto complainant with stick, thereby causing injuries. Hence, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that this case has been falsely foisted against them and that a counter case has also been registered against the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured has been discharged from the hospital. She further submitted that it is a case and case in counter and that the petitioners have no previous cases pending against them. Hence, she opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

6. Considering the nature of the allegations, the fact that the injured was discharged from the hospital, that the petitioners have no previous cases



pending against them, hat there is a counter case in Crime No.10 of 2026; this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. 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 Judicial Magistrate, Sankarapuram*, on condition that the petitioners shall execute a separate bond for a sum of Rs.15,000/- (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 Judicial Magistrate,
Sankarapuram.
2. The Inspector of Police,
Pagandai Kootusalai Police Station,
Kallakurichi District.
- 3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

drl

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