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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2026

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.4465 of 2026

1. Pazhanivel
2. Mahalakshmi
3. Thamizhselvan @ Appu
4. Vijayakumar

... Petitioners

Vs.

State, represented by,
The Inspector of Police,
Kalamaruthur Police Station,
Kallakurichi District.
(Crime No.33 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of
arrest concerned in Crime No.33 of 2026 on the file of the Inspector of
Police, Kalamaruthur Police Station, Kallakurichi District.

For Petitioners	:	Mr.S.Nedunchezhiyan
For Respondent	:	Ms.J.R.Archana Government Advocate (Crl. Side)
For Intervenor	:	Mr.K.M.Muralidharan



ORDER

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The petitioners herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) and 109(1) of Bharathiya Nyaya Sanhita, 2023 in Crime No.33 of 2026, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioners is that due to previous enmity, the petitioners joined together and went to the place of occurrence and attacked the de-facto complianant and her husband with iron rod and stick and wooden log and caused severe injuries. The de-facto complianant and her family had previous enmity with the accused in respect of partition of the family property, as they belong to the same family. On 04.02.2026, when they were in the said land for harvesting, the accused persons entered the land and caused damage to the land and injured the de-facto complainant and her husband. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the main accused in this case is A1 who was



already arrested and still in custody. He also submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.

Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned counsel for the intervenor submitted that contraband was made and the de-facto complainant and the petitioners herein have also made overt act and attacked both the victims in this case and hence, he opposed to grant of anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl.Side) appearing for the respondent /Police reiterated the prosecution case and submitted that the petitioners caused injuries, more particularly, A1 to A3 have used the rod and stick and attacked the de-facto complainant and caused injuries on the head which resulted in fracture on the head and also hand and investigation is pending. Hence, he opposed for grant of bail to the petitioners.

6. I have gone through the FIR and other connected records.

7. Considering the fact that the majority of the allegation of the fracture and causing injury to de-facto complainant is against the A2 and A3 and other accused have attacked the de-facto complainant's husband, causing sustained injuries, though injured discharged from the hospital, this Court is not inclined to grant anticipatory bail to A1 and A2.



8. Accordingly, the 3rd petitioner / A3 and the 4th Petitioner / A4 **are ordered** to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate Court II-Ulundurpet**, on condition that the 3rd petitioner/A3 and 4th petitioner/A4 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 of the learned Magistrate concerned, and on further condition that:

[a] if the 3rd petitioner/A3 and 4th petitioner/A4 fails to surrender before the concerned Magistrate within a period of ten 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;



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[c] the 3rd petitioner /A3 and 4th petitioner / A4 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;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the 2nd petitioner/A2 in accordance with law as if the aforementioned conditions have been imposed and the 2nd petitioner/A2 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)13 SCC 283]**;

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

24.02.2026

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To

1. Judicial Magistrate Court II-Ullundurpet

2.The Inspector of Police,
Kalamaruthur Police Station,
Kallakurichi District.

3.The Public Prosecutor,
High Court of Madras.

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K.RAJASEKAR, J.

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