



CrI.OP.No.4535 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CrI.O.P.No.4535 of 2026

1. Saravanan
2. Sumathi

... Petitioners

Vs.

State rep by
The Sub-Inspector of Police,
Thammampatty Police Station,
Thammampatty, Salem District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of their arrest in Cr.No.21 of 2026, on the file of the respondent/complainant.

For Petitioners : Mr.TM Ramalingam

For Respondent : Ms.J.R.Archana
Government Advocate (CrI.side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 296(b), 118(1), 351(3) of BNS of 2023 in Cr.No.21 of 2026 , on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that due to pathway dispute, the petitioners have abused and assaulted the defacto complainant and his wife by using iron rod and threatened them with dire consequence and also caused injuries to them, which lead to the registration of an FIR. Hence, the present petition has been filed by the petitioner for seeking anticipatory bail.

3. The learned counsel appearing for the petitioners submitted that the petitioners herein are ranked as A1 and A2, they have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case due to their reputation in the society. He further submitted that it is a case and counter case and the petitioners are ready to cooperate with the investigation. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured were treated as outpatient, six previous cases reported against the petitioners, and investigation in this case is pending. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

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



6. Considering the nature of allegations and the fact that injured were treated as an out patient and it is case and counter case. Though investigation in this case is pending and six previous cases reported against the petitioners, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned ***Judicial Magistrate-II, Attur, Salem District*** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the 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 1st petitioner shall report before the respondent police daily at 10.30a.m., for a period of three weeks and thereafter, as and when required for interrogation and the 2nd petitioner shall report before the respondent police daily at 10.30a.m., for a period of one week 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

25.02.2026

Vv

To

1. The *Judicial Magistrate-II, Attur, Salem District*
2. The Sub-Inspector of Police,
Thammampatty Police Station,
Thammampatty, Salem District.
3. The Public Prosecutor
High Court of Madras, Chennai 600 104.

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K.RAJASEKAR, J.

Vv

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