



WEB COPY

CRL OP No. 4743 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 4743 of 2026

1. Kirubanithi
S/o.Saravanan,
W4, B6- 111-3,1008 Sivalayam Ethiril,
Veerapandi Ariyanur PO,
Salem District.
2. Vijay
S/o.Kumaresan,
S No.104-1,
Anndikkadu, Palampatti, Veerapandi,
Salem District.

..Petitioner(s)

Vs

The State rep by,
The Inspector of Police,
Kondalampatti Police Station,
Salem District.
Crime No.60 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in crime No.60 of 2026 on the file of the Respondent and thus render Justice.

For Petitioner(s):

M/s.DEEPAK KUMAR C

For Respondent(s):

M/S.J.R.Archana
Government Advocate (Crl.Side)



ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNS in Crime No. 60 of 2026, seek anticipatory bail.

2. The case of the prosecution is that due to wordy quarrel, the petitioners abused and attacked the defacto complainant with sticks and caused simple injuries. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution. Therefore, he prays for grant 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 has been treated as an out-patient, and there are no previous cases against the petitioners. However, she vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case and also considering the fact that there are no bad antecedents against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



6. 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 ready, before the **learned Judicial Magistrate-V, Salem**, on condition that **the petitioner shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(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 petitioners shall report before the respondent police everyday 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 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



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.

26-02-2026

MPA

To

1.The Judicial Magistrate-V, Salem.
2. The State rep by,
The Inspector of Police,
Kondalampatti Police Station,
Salem District.
Crime No.60 of 2026

3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

MPA

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