



WEB COPY

CRL OP No. 4795 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. 4795 of 2026

1. Kalimuthu
S/o. Nachimuthu,
144, West Street,
Vellaigoundanvalasu,
Bommanallur,
Tiruppur.
2. Sudhanthira Devi
W/o. Kalimuthu,
144, West Street,
Vellaigoundanvalasu,
Bommanallur,
Tiruppur.

..Petitioner(s)

Vs

State Rep.by, The Inspector of Police,
Alangiyam Police Station,
Tiruppur District.
Cr.No.23 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant Anticipatory Bail to the Petitioners in the event of their arrest in Crime No. 23 of 2026 on the file of the Respondent police, pending investigation.

For Petitioner(s): Akshaya

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. 23 of 2026, seek anticipatory bail.

2. The case of the prosecution is that due to property dispute, there arose a wordy quarrel between the petitioners and the defacto complainant, as a result of which, the petitioners attacked the defacto complainant and caused injuries. Hence, the complaint.

3. The learned counsel for the petitioners would submit that there is a case in counter case against the defacto complainant and a false case has been foisted against the petitioners. Hence, he prays 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 discharged from the hospital and there is one previous case pending against the petitioners. Hence, opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case and also of the fact that there is case in counter case and the injured has been discharged from the hospital and though one previous case reported against the petitioner, 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, Dharapuram**, 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 slip (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 06.00 p.m., for a period of three 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, Dharapuram.
2.State Rep.by, The Inspector of Police,
Alangiyam Police Station,
Tiruppur District.
Cr.No.23 of 2026.

3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

MPA

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