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Crl.O.P.No.5449 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.5449 of 2026

1.Vennila
2.V.Vijayakumar
3.Purushothaman

... Petitioners

Vs.

State rep by
The Inspector of Police,
Brammadesam Police Station,
Villupuram District.
(Crime No. 37 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in the event of arrest in Crime No.37 of 2026 on the file of the respondent police.

For Petitioners : Mr.R.Subburaj

For Respondent : Mr. P. Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 296(b), 115(2), 118(1), 351(3) of BNS, in Crime No.37 of 2026 on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that the first petitioner is the wife of the second petitioner and the third petitioner is their son. It is alleged that due to stagnation of water caused by leakage of a water pipe near the defacto complainant's house, a wordy quarrel arose between the parties. During the course of quarrel, the petitioners are alleged to have attacked the defacto complainant with stick and legs, thereby causing injuries. Hence, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the defacto complainant and they have been falsely implicated in this case. He further submitted that they are ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioners.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent submitted that due to wordy quarrel between the petitioners and the defacto complainant and they attacked the defacto complainant with stick and legs and also abused him with filthy languages, thereby causing simple injury. Hence, he opposed to grant anticipatory bail to the petitioners.



5. I have given my anxious consideration to either side submissions.

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6. From the submissions made by the learned counsel on either side and also on a perusal of the anticipatory bail petition, it is seen that the complaint has been registered against the petitioners due to a wordy quarrel and that no injury was sustained by the defacto complainant. However, the said fact was disputed by the learned Government Advocate (Crl.Side), who submitted that the defacto complainant had sustained only simple injuries and was treated at home itself. Taking into consideration the fact that the first petitioner is a woman and the third petitioner is a college-going student and that there are no previous cases against the petitioners, 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 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 is made ready, before the **learned Judicial Magistrate No.2, Tindivanam**, on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fails to surrender before the



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concerned learned 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, daily 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 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

04.03.2026

DRL



To

1.The Judicial Magistrate No.2,
Tindivanam.

2.The Inspector of Police,
Brammadesam Police Station,
Villupuram District.

3.The Public Prosecutor,
High Court of Madras.

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C.KUMARAPPAN.J.

DRL

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