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Crl.O.P.No.5468 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.5468 of 2026

1.Neppoleyan

2.Vimal @ Vimalkumar

... Petitioners

Vs.

State rep by

The Inspector of Police,
Natrampalli Police Station,
Tiruppattur District.
(Crime No. 57 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.57 of 2026 on the file of the respondent police.

For Petitioners : Mr.E.Kannadasan

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(2), 351(2) of BNS, 2023 in Crime No.57 of 2026 on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that the petitioners are arrayed as A2 and A3 in this case. It is alleged that due to money dispute, a wordy quarrel arose between the petitioners and the defacto complainant, during which the first petitioner allegedly bit the middle finger of the defacto complainant and the other petitioners assisted him. Hence, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the first petitioner, against whom the specific overt act is alleged, has already been enlarged on bail on 25.02.2026 in Crl.MP.No.727 of 2026 by the learned Judicial Magistrate No.3, Tirupathur. 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 the petitioners have no previous case against them and that the investigation is also completed. Hence, he opposed to grant anticipatory bail to the petitioners.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.



6. Even according to the prosecution, the specific overt act is against A1, who amputated the finger by biting, and that the allegation against the petitioners is only the instigation. From the submissions made by the learned counsel on either side, it is seen that the petitioners have no previous case against them, the co-accused/A1 was enlarged on bail by the Lower Court and that the investigation was also completed and no further custodial interrogation is necessary. In view of the above, this Court is of the firm view that the petitioners may be enlarged on anticipatory bail, 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.III, Tirupattur**, 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 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



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Crl.O.P.No.5468 c



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 30 days 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 petitioner 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

AT

To

1.The Judicial Magistrate No.III,
Tirupattur.

2.The Inspector of Police,
Natrampalli Police Station,
Tirupattur District.

3.The Public Prosecutor,
High Court of Madras.

4/5



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C.KUMARAPPAN.J.

DRL

Crl.OP.No.5468 of 2026

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