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CRL OP No. 5457 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5457 of 2026

1. Prasanth

2. Yasodha

..Petitioner(s)

Vs

The State rep by its The Inspector of Police
T-7, Otteri Police Station,
Chengalpattu District.
Crime No. 29/2026.

..Respondent(s)

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 their arrest in the above Crime No.29 of 2026 on the file of T-7, Otteri
Police Station, Chengalpattu District.

For Petitioner(s): Mr.Magesh D

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

ORDER

The petitioners apprehend arrest for the alleged offence under Section
296(b), 115(2) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment
of Women Act, 2002 in Crime No.29 of 2026 on the file of the respondent
police seek anticipatory bail.



2. It is the case of the prosecution that due to a land dispute between the petitioners and the de facto complainant, the present complaint has been lodged.

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3. The learned counsel for the petitioner submitted that the present case arises out of a civil dispute between the petitioners and the de facto complainant and has been falsely foisted upon the petitioners. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and the petitioners are ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) fairly submits that no injury has been sustained by the de facto complainant. He further submits that there is a previous case registered against the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

6. From the submissions made by the learned Government Advocate (Crl.Side) it is seen that, there is a previous case against the petitioners. However, looking at the factual submission, it is seen that the said previous case is of the year 2017 and apart from that, the entire current issue surfaced due to a land dispute between the petitioners and the de facto complainant and that the



de facto complainant has not sustained any injury. Taking into consideration the date of registration of the First Information Report, at this length of time, custodial interrogation of the petitioners is not required and hence, 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 **Judicial Magistrate No.II, Chengalpattu**, on condition that **the petitioners shall execute a bond for a sum of Rs.25,000/- each (Rupees Twenty Five 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 fail 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 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.,and 5.30 p.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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

17-03-2026

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To

1. The Inspector of Police
T-7, Otteri Police Station,
Chengalpattu District.

2. The Judicial Magistrate No.II, Chengalpattu.

3. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

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