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Crl.O.P.No.5510 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.5510 of 2026

1.Suriya

2.Santhi

... Petitioners

Vs.

State Rep. By
The Inspector of Police,
Achirapakkam Police Station,
Chengalpattu District.
(Crime No.36 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 their arrest in Crime No.36 of 2026 on the file of the respondent police.

For Petitioners : Ms.B.Sasikala

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

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 296(b), 115(2), 351(3) of BNS and r/w Section 4 of the TN Prohibition of Harassment of Women Act, 2002, in Crime No.36 of 2026 on the file of the respondent police seeks anticipatory bail.



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2. The case of the prosecution is that, due to a wordy quarrel, the petitioners along with other accused attacked the de facto complainant and caused simple injuries. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. The petitioners are ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that the incident occurred due to letting sewage water into the land of the de facto complainant. Due to the above reason, there was a scuffle between the petitioners and the de facto complainant, and the de facto complainant sustained simple injuries and was treated as an outpatient. Hence, he opposed to grant anticipatory bail to the petitioners.

5. At this juncture, the learned counsel for the petitioners would invite the attention of this Court to the order passed in Crl.O.P.No.3955 of 2026,



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dated 18.02.2026, wherein the co-accused had already been released on bail, and he prayed that the same parity may also be extended to this petitioners.

There is no serious objection with regard to the submission that the co-accused has already been released on bail. In such view of the matter, this Court is inclined to grant anticipatory bail to the petitioners, subject to 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 is made ready, before the **learned Judicial Magistrate No.II, Chengalpattu**, on condition that **the petitioners shall execute a 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 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;



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(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 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.

04.03.2026

cda

To

1.The Judicial Magistrate No.II, Chengalpattu.

2.The Inspector of Police,
Achirapakkam Police Station,
Chengalpattu District.

3.The Public Prosecutor,
High Court of Madras.

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