



Crl.O.P.No.5768 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2026

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Crl.O.P.No.5768 of 2026

1.Ramesh
2.Arthanari
3.Amutha

... Petitioners

Vs.

State rep. by its
The Inspector of Police,
Namakkal Police Station,
Namakkal District.
(Crime No.Not Known of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of arrest pending investigation in Crime No.Not Known of 2026 on the file of the respondent police.

For Petitioners : Mr.Camyles Gandhi W
For Respondent : Mr.P.Dhileepan
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence **under Sections 296(b), 118(1), 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.Not Known of 2026**, on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that due to land dispute, there was



wordy quarrel arose between the petitioners and the defacto complainant in which, they attacked each other and the first petitioner attacked the defacto complainant severally with hands and wooden log due to which, the defacto complainant sustained injury. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any such offence as alleged by the defacto complainant and they have been falsely implicated in this case. He further submitted that it is a case and case in counter; that the petitioners have given a complaint against the defacto complaint in Crime No.109 of 2026 and that they are ready to abide by any stringent condition that may be imposed by this Court and they are ready to co-operate with investigation. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution's case and, upon instructions, submitted that initially the complaint was registered with crime number not known and subsequently, Crime No.110 of 2026 has been assigned under Sections 296(b), 115(2) and 351(2) of the Bharatiya Nagarik Suraksha Sanhita Act, 2023. He would fairly submit that there is no injury sustained by the



defacto complainant and that the entire issue revolves around a land dispute.

Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5. Heard the submissions made by the learned counsel on either side and perused the materials available on record.

6. In such view of the factual position and taking into consideration of the age of the petitioners and also upon the ground that the petitioners have sustained injury. According to the averments in Crime No.109 of 2026, the petitioners appear to have sustained grievous injury. Hence, this Court is inclined to enlarge on anticipatory bail to the petitioner Nos.1 and 3. As far as the petitioner No.2 is concerned, the learned Government Advocate (Crl.Side) would submit that he has not arrayed as an accused in the First Information Report.

7. Recording the aforesaid submission made by the learned Government Advocate (Crl.Side) as against the petitioner No.2/Arthanari is concerned, this Criminal Original Petition stands dismissed.

8. As against the petitioner No.1/Ramesh and petitioner No.3/Amutha is concerned, this Court is inclined to enlarge them on anticipatory bail, subject to following conditions.



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9. Accordingly, the petitioner Nos.1 and 3 are ordered to be released on anticipatory 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-I, Namakkal**, 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 petitioner Nos.1 and 3 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 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 petitioner Nos.1 and 3 shall sign report before the respondent Police daily at 10.30 a.m., and 5.30 p.m., for a period of eight 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



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actions against the petitioner Nos.1 and 3 in accordance with law as if the conditions have been imposed and the petitioner Nos.1 and 3 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 Nos.1 and 3 thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To:

1.The Judicial Magistrate - I,
Namakkal.

2.The Inspector of Police,
Namakkal Police Station,
Namakkal District.

3.The Public Prosecutor,
High Court of Madras.

C.KUMARAPPAN,J.,

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