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CRL OP No.8197 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8197 of 2026

1. Sathish
S/o Velayutham,
No.2/123, MadaraAlli,
Yerrappanaikkanur,
Pochampalli,
Krishnagiri- 635203.
2. Viji @ Vijayan
Son of Balaiyan,
No.72A, Nagapatti,
Yerrappanaikkanur,
Madrhali,
Krishnagri- 635203.

..Petitioners/A4 and A5

Vs

State Rep. by,
The Inspector of Police,
Mathur Police Station,
Krishnagri District.
Crime.No.59 of 2026.

..Respondent/
Complainant

Prayer: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on bail in the event of arrest in Crime. No. 59 of 2026 on the file of the respondent.

For Petitioners : Mr.Saravana Pandiyan

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



ORDER

The petitioners/A4 and A5, who apprehend arrest for the alleged offences under Sections 191(2), 191(3), 296(b), 115(2), 118(2) & 351(3) in Crime No.59 of 2026, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity with regard to the land dispute, the petitioners/A4 and A5, along with other accused, abused the *de-facto* complainant in filthy language and attacked him with a wooden log. Due to this, the *de-facto* complainant sustained grievous injuries and was admitted to the hospital. Hence, the case.

3. The learned counsel for the petitioners/A4 and A5 submitted that the earlier anticipatory bail application dated 04.03.2026 was dismissed on account of a treatment taken by the *de-facto* complainant/victim in the hospital, and now that the *de-facto* complainant has been discharged. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and they are ready to cooperate for the investigation. Hence, he prays to grant anticipatory bail to the petitioners.

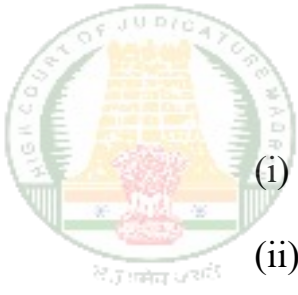


4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution's case and, upon instructions, submitted that the *de-facto* complainant was in treatment for more than 25 days; and that the other accused are also still absconding and the investigation is still on. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

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

6. The learned counsel for the petitioners would submit that the earlier anticipatory bail application was dismissed on account of a treatment taken by the *de-facto* complainant/victim in the hospital and now that the *de-facto* complainant has been discharged.

7. However, the learned Government Advocate (Crl.Side) would strongly oppose the anticipatory bail application on the ground that the *de-facto* complainant was in treatment for more than 25 days, the other accused are also still absconding, and the investigation is still on. The learned Government Advocate (Crl.Side) has also submitted the discharge summary, where the injured has sustained:



(i) Closed Medial Condyle Proximal Tibia Fracture on right side;

(ii) Closed Lateral Condyle of Femur Fracture on left side;

(iii) Closed Peri-implant Segmental Ulna Fracture with Midshaft Radius Fracture – left side;

(iv) Closed Midshaft Ulna Comminuted Fracture with Distal Third Radius Fracture with Ulnar Styloid Fracture – right side.

8. Taking into consideration of the serious injuries sustained by the *de-facto* complainant/victim and long duration of treatment taken by the *de-facto* complainant, this Court is of the view that if the petitioners are enlarged on bail, it would cause an adverse impact upon the minds of the *de-facto* complainant and the society. Hence, this Court is of the firm view that the petitioners do not deserve anticipatory bail.

9. Accordingly, this Criminal Original Petition is dismissed.

07-04-2026

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To

1. The Judicial Magistrate,
Pochampalli.

2. The Inspector of Police,
Mathur Police Station,
Krishnagiri District.

3. The Public Prosecutor
High Court of Madras.

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C.KUMARAPPAN, J.

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