



WEB COPY

CRL OP No. 7697 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7697 of 2026

S. Elumalai

..Petitioner

Vs

The State Rep. by
The Inspector of Police
Pernamallur Police Station,
Thiruvannamalai District.

..Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023 to enlarge the petitioner on bail in the event of his arrest in respect of Crime No.44 of 2026, on the file of the Inspector of Police, Pernamallur Police Station, Thiruvannamalai District.

For Petitioner:

Mr.Viswanathan S.B

For Respondent:

Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 296(b), 115(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023 read with section 4 of the Tamil Nadu Prohibition of Harassment against Women Act in Crime No.44 of 2026 on the file of the respondent police seek anticipatory bail.



2. The allegation against the petitioner is that the petitioner has fraudulently obtained the property belonging to the de facto complainant's husband. Hence, the complaint.

3. The learned counsel for the petitioner submitted that there was a land dispute between the de facto complainant and this petitioner. According to the prosecution, the petitioner had fraudulently obtained the property belonging to the de facto complainant's husband. He further submitted that sale deed was executed by the de facto complainant's husband in the year 2017. He submitted that the petitioner has been falsely implicated in this case and he is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. At this juncture the learned Government Advocate (Crl.Side) submitted that though there was wordy quarrel and altercation, the de facto complainant has sustained only simple injuries and treated as out patient. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and taking into consideration, the above submissions and upon the fact that the entire incident



has taken place in furtherance of a land dispute and considering the fact that the injury is simple in nature and treated as out patient, this Court is inclined to enlarge the petitioner on anticipatory bail subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate Court, Cheyyar, Thiruvannamalai District**, on condition that **the petitioner shall execute a 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 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 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 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

26-03-2026

SHL

To:

1. The Judicial Magistrate Court,
Cheyyar, Thiruvannamalai DistrictThe

2. The Inspector of Police
Pernamallur Police Station,
Thiruvannamalai District.

3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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