



WEB COPY

CRL OP No. 7814 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7814 of 2026

1.Mariappan
D No.5/203, Kolnaickenpatti Post,Mettur
Taluk,Salem District
2.Ananthi
W/o Mariyappan,
Residing at D No.5/203,
Kolnaickenpatti Post,
Mettur Taluk,
Salem District.
3.Jaya Suriya
S/o Mariyappan,
Residing at D No.5/203,
Kolnaickenpatti Post,
Mettur Taluk,
Salem District.

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Mettur Police Station,
Salem District
(Crime No.67 of 2026)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioners on bail in the event of arrest in crime No.67 of 2026 on the file of the Respondent and thus render Justice.

For Petitioner(s):

For Respondent(s):

Deepak Kumar C

Mr.P.Dhileepan

Government Advocate (Crl.Side)



ORDER

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2. The case of the prosecution is that, due to a land dispute, the petitioners assaulted the defacto complainant with stones and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. He also submitted that the occurrence took place on 04.03.2026 and that the dispute arises out of a land dispute, and there is a case and counter. Hence, he prayed for anticipatory bail for the petitioners.

4. The learned Government Advocate (Criminal Side) strongly opposed the bail application on the ground that the injured sustained serious injuries, was hospitalized for a period of six days, and was discharged only on 19.03.2026.



5. I have given anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

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6. On a perusal of the materials, this Court finds that specific overt acts are attributed only to A1, and that A2 and A3 appear to have merely exhorted A1. Apart from that, the second petitioner is a woman and the third petitioner is a student.

7. Considering the gender of the second petitioner, the avocation of the third petitioner as a student, and the fact that the serious overt acts are attributed only to the first petitioner, this Court is inclined to grant anticipatory bail to the second and third petitioners, subject to certain conditions.

8. Insofar as the first petitioner is concerned, this application is dismissed.

9. Accordingly, the 2nd and 3rd petitioners 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 made ready, before **the learned Judicial Magistrate-I, Mettur**, 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:



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(a) If the petitioners 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 petitioners shall sign before the respondent police daily at 05.30., p.m., for a period of one week 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.

27-03-2026

MPA



To

1. The Judicial Magistrate-I, Mettur.
2. The State Rep By, The Inspector of Police
Mettur Police Station,
Salem District
(Crime No.67 of 2026)

3. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

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