



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7784 of 2026

1. Prabu, S/o.Palaniyappan
2. Pushpa, W/o.Karthikeyan
3. Karthikeyan, S/o.Palaniyappan

..Petitioners

Vs

The State, Represented by
Inspector of Police,
Deevattipatty Police Station,
Salem District.
(Cr.No.103 of 2026)

..Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to grant anticipatory bail to the petitioners in the event of arrest or surrender in the above Crime No.103 of 2026 pending investigation on the file of the respondent police.

For Petitioner	:	Mr.K.S.Harish
For Respondent(s):		Mr.P.Dhileepan, Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence **under Sections 189(1), 296(b), 115(2), 118(1), 351(3) of BNS, 2023 and Section 4 of TNPHW Act**, in **Crime No.103 of 2026**, on the file of the respondent police seek anticipatory bail.



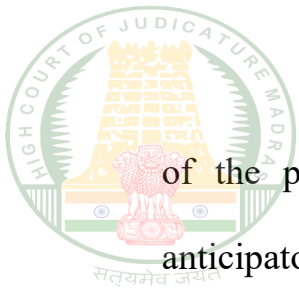
2. The case of the prosecution is that due to passage dispute, the petitioners along with several others have assaulted the de-facto complainant and her family members and has caused injury. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners were innocent and that they have been falsely implicated in this case. He further submitted that they are ready to abide by any stringent condition that may be imposed by this Court and they are ready to co-operate for 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 case and strongly opposed the anticipatory bail application on the ground that the de-facto complainant has been discharged from the hospital after a period of 7 days. Hence, he opposed to grant anticipatory bail to the petitioners.

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

6. Considering the totality circumstances of the case and on the further fact that, the FIR came to be registered on 14.03.2026 and since the injured discharged from the hospital, at this length of time, the custodial interrogation



of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

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7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **Learned Judicial Magistrate, Omalur**, on condition that the **petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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;

(d) The petitioners shall stay at Tiruppur, and report before the **Tiruppur South Police Station, Dharapuram Road, Kuppusamypuram, Tiruppur, Tamil Nadu, 641604** daily at 10.30 am for a period of four weeks;



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(e) 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]*;

(f) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

10.04.2026

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To

1. The Judicial Magistrate, Omalur
2. The Public Prosecutor,
High Court, Madras.
3. The Inspector of Police, Tiruppur South Police Station, Dharapuram Road, Kuppusamypuram, Tiruppur, Tamil Nadu, 641604.
4. The Inspector of Police, Deevattipatty Police Station, Salem District.

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