



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 15-04-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 9334 of 2026**

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1. A.Elumalai  
S/o.Ayyakannu @ Penniyan,  
7/94, Mettu Street,  
Vengur,  
Villupuram,  
TamilNadu- 605 751.
2. E.Ezhilarasan  
S/o. Elumalai,  
7/94, Mettu Street,  
Vengur,  
Villupuram,  
TamilNadu- 605 751.
3. E.Prakash  
S/o.Elumalai,  
7/94, Mettu Street,  
Vengur,  
Villupuram ,  
TamilNadu- 605751.
4. E.Arunkumar  
S/o.Elumalai,  
7/94, Mettu Street,  
Vengur,  
Villupuram,  
TamilNadu- 605751.
5. A.Veerapathiran  
S/o. Ayyakannu,  
94, Mettu Street,  
Udayarkuppam,  
Ariyur,  
Villupuram – 605751.



6. E.Anjali  
W/o. Ezhilarasan,  
7/94, Mettu Street,  
Vengur,  
Villupuram  
TamilNadu- 605751.

..Petitioner(s)

Vs

The State Rep.by, The Inspector of Police,  
Thirukoilur Police Station,  
Thirukoilur,  
Kallakurichi District.  
Cr.No.41 of 2026.

..Respondent(s)

**PRAYER :** Criminal Original Petition filed under Section 482 of BNSS, 2023, to direct to release of the petitioner on anticipatory bail in the event of arrest in Crime No.41/2026 on the file of respondent Police, and pass such other or further orders as this Honble Court

For Petitioner(s): M/s. Pushpalatha Ramasamy

For Respondent(s): MR.P.DHILEEPAN GOVT.ADVOCATE (CRL SIDE)

### **ORDER**

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 324(4), 74, 296(b), 115(2), 118(1), 351(3) of BNS, in Crime No.41 of 2026, on the file of the respondent Police, seek anticipatory bail.



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2. The case of the prosecution is that the petitioners formed an unlawful assembly, rioted with deadly weapons abused the defacto complainant in filthy language, assaulted the brother of the defacto complainant and his wife, causing grievous injuries and they also caused damage to the drip irrigation pipe. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the occurrence was took place on 19.01.2026 and that the co-accused/A5 has already been enlarged on bail by the learned Sessions Judge. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that this is the second anticipatory bail application, the earlier one was dismissed on account of pendency of investigation. He further submitted that as per the discharge summary, the defacto complainant sustained injuries on the occipital region, though no haemorrhage was noted. Hence, he opposed to grant anticipatory bail to the petitioners.



5. I have given anxious consideration to the submissions made by the learned counsel on either side.

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6. Considering the above aspects, particularly the medical opinion that the injuries sustained are simple in nature, the fact that the occurrence arose out of a land dispute, and that the co-accused has already been released on bail, this Court is of the firm view, that the custodial interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail, subject to certain conditions.

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 (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Thirukoilur**, 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 petitioners 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 petitioners shall stay at Virudhunagar and report before the Virudhunagar East Police Station, daily at 10.30 am for a period of 30 days and thereafter appear before respondent police 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.

**15-04-2026**

DRL

To

1.The Judicial Magistrate Court,  
Thirukoilur.

2.The Inspector of Police,  
Thirukoilur Police Station,  
Thirukoilur,  
Kallakurichi District.

3.The Public Prosecutor,  
High Court, Madras.



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**C.KUMARAPPAN, J.**

**DRL**

**CRL OP No. 9334 of 2026**

**15-04-2026**