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CRL.OP.No.8522 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL.OP No.8522 of 2026

1.Sakthivel
2.Vadivel

...Petitioners

Vs.

The State represented by
The Inspector of Police,
Deevattipatti Police Station,
Salem District.
(Crime No.75 of 2026)

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.75 of 2026 on the file of Deevattipatti Police Station, Salem.

For Petitioner(s):

Mr.T.Ganesan

For Respondent(s):

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

ORDER

The petitioners, who apprehend arrest for the alleged offence **under Sections 296(b), 115(2), 118(1) and 351(3) of BNS (Section 294(b), 323, 324, 506 of IPC)**, in **Crime No.75 of 2026**, on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that on 01.03.2026 while the defacto complainant was in his mutton stall, the accused persons came in their bike and hit his dog. Hence, the dog braked against them and at that time the accused persons wounded the dog with beer bottle. Thereafter, the accused persons came to his stall and attacked him with beer bottle. Due to the attack, he sustained injuries and admitted in the hospital. Hence, the case has been registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that an FIR was registered against them on 01.03.2026. The entire issue arose in furtherance of the fact that the dog belongs to the defacto complainant and the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the defacto complainant's dog has barked upon the petitioners and they took a bottle and made scratches upon the dog and thereafter, he also intimated the defacto complainant. The first petitioner has one previous case pending against him. However, he opposed to grant anticipatory bail to the petitioners.



5. At this juncture, the learned counsel for the petitioners would submit that the defacto complainant's dog has bitten the petitioners and thereby he was compelled to be in the hospital for a period of six days.

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

7. Taking into consideration the totality of circumstances and though the first petitioner has got one previous case of the year 2021, due to the dog bite and the consequential fall, the first petitioner was constrained to be in the hospital for his fracture for a period of seven days. Apart from that, for these type of offences, no custodial interrogation of the petitioners are required. Hence, for the above reasons, this Court is inclined to enlarge them on anticipatory bail, subject to certain conditions;

8. 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 **petitioners shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each, 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 report before the respondent police daily at 10.30 a.m., for a period of one week; thereafter as and when required;

(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.

dna

06.04.2026



To

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1.The Judicial Magistrate, Omalur.

2. The Public Prosecutor,
High Court, Madras.

3.The Inspector of Police,
Deevattipatti Police Station,
Salem District.
(Crime No.75 of 2026)



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C.KUMARAPPAN, J.

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