



WEB COPY

CRL OP No. 8738 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 08-04-2026**

CORAM

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

**CRL OP No. 8738 of 2026**

1. Arunkumar
2. Jagathambal
3. Nithya
4. Prema

..Petitioners

Vs

The State rep by,  
The Inspector of Police,  
Karuppur Police Station,  
Salem City.  
(Crime No.79 of 2026)

..Respondent

Prayer: Criminal Original Petition filed under section 482 of BNSS to enlarge the petitioners on bail in the event their arrest in crime No. 79 of 2026 pending investigation on the file of the respondent police.

For Petitioners:

Mr.L.Ramanathan

For Respondent:

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

### **ORDER**

The petitioners apprehends arrest for the alleged offence under Sections 296(b), 115(2) and 351(2) of BNS [294(b), 323 and 506(2) of IPC and 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.79 of 2026 on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that petitioners abused and assaulted the de facto complainant. Hence, this 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 submitted that it is a case of case and counter. The entire issue has arisen in respect of a temple administration. The occurrence took place on 22.03.2026. Initially, it commenced as a wordy quarrel and thereafter both the parties started attacking each other by hands and iron rods. There were injured persons on both the side and they have been discharged from hospital. However, 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.



6. Considering the facts and circumstances of the case and taking into consideration of the totality of the circumstances, and upon the fact that the injured have been discharged and the entire issue has arisen in furtherance of temple dispute, this court is of a firm view that custodial interrogation of the petitioners is necessary however considering the nature of occurrence, this Court is inclined to enlarge the petitioners on anticipatory bail by imposing stringent 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 Additional Mahila Court, Salem** 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 Salem and report before the Inspector of Police, Salem Town Police Station, Salem District 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 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.

**08-04-2026**

SHL

To:

1. The Additional Mahila Court, Salem

2. The Inspector of Police,  
Karuppur Police Station,  
Salem City.

3. The Inspector of Police,  
Salem Town Police Station,  
Salem District

3. The Public Prosecutor



High Court of Madras

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**C.KUMARAPPAN J.**

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