



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

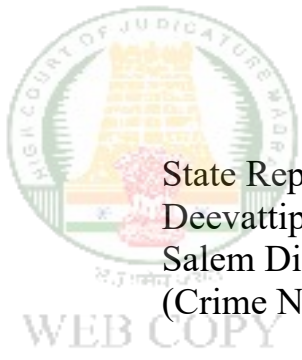
THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9021 of 2026

1. Thamaraiselvan
S/o.Ayyanar,
No.92, Nainakadu Dam,
Kadayampatti, Salem District.
2. Subramani @ Subramaniyan
S/o.Kaveri Gounder,
No.147 Nainakkadu,
Deevattipatti,
Salem District.
3. Parvathi @ Prabavathi
W/o Thamaraiselvan,
No.92, Nainakadu Dam,
Mattukkaran Budur,
Kookuttapatti,
Salem District.
4. Bathama @ Bathma
W/o. Iyyanar
No.92, Nainakadu Dam,
Mattukkaran Budur,
Kookuttapatti,
Salem District.
5. Murali Kannan
S/o. Jayapal,
No. 2/27-9, 7th Cross Street,
Sivaya Nagar, Reddiyur,
Alagapuram
Salem District.

..Petitioner(s)

Vs



State Rep By its, The Sub Inspector of Police,
Deevattipatti Police Station,
Salem District,
(Crime No.101 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 a case in crime No.101 of 2026 on the file of the Respondent and thus render justice.

For Petitioner(s): Mr.C.Deepak Kumar

For Respondent(s): Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 324(4) and 351(3) of BNS Act, in Crime No.101 of 2026, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that due to previous enmity arising out of land dispute with the defacto complainant, the petitioners assaulted him with a spade and crowbar, causing injuries, and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case and that they have not committed any offence as alleged by the prosecution. Hence, he



seeks anticipatory bail to the petitioners.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the occurrence took place on 15.03.2026 and that the defacto complainant sustained simple injuries and was discharged on 17.03.2026. He further submitted that the dispute arose out of a land dispute, particularly relating to a pathway dispute. 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.

6. Taking into consideration the totality of the circumstances and the fact that the injured sustained only simple injuries and has been discharged from the hospital, and that the second petitioner is aged about 72 years and the third and fourth petitioners are women, this Court is of the firm view that at this length of time, 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 Court, Omalur**, 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 first and fifth petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and the petitioners 2 to 4, shall report before the 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.

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DRL

To

1.The Judicial Magistrate Court,
Omalur.

2.The Sub Inspector of Police,
Deevattipatti Police Station,
Salem District,
(Crime No.101 of 2026)

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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