



WEB COPY

CRL OP No. 9368 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9368 of 2026

1. Shanmuga Sundari
2. Sakthivel

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Vedaranyam Police Station
Nagapattinam District(Crime No.78 of 2026)

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 482 of BNSS, pleaded to enlarge the petitioners on bail in the event of their arrest in Crime No.78 of 2026 on the file of the Inspector of Police, Vedaranyam Police Station, Nagapattinam District and thus render justice.

For Petitioner(s):	Mr.Palanivel Nadimuthu
For Respondent(s):	Mr.P.Dhileepan Government Advocate (Criminal Side)

ORDER

The petitioners apprehend arrest for the alleged offences under Sections 296 (b), 118 (1), 109, 351 (3) of BNS, 2023 in Crime No.78 of 2026 on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the defacto-complainant's husband was having an illegal affair with A1's wife. This led to quarrel between A1 and the defacto-complainant's husband. During the altercation, A1 allegedly attacked the defacto-complainant's husband with a knife and a wooden log. Due to which he sustained injuries and admitted to hospital. Hence, the complaint.



3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they had been falsely implicated in this case. He further states that the occurrence took place on 17.03.2026. He further submitted that A1 and A2 had already been enlarged on bail by the trial Court in Cr.M.P.No.211 of 2026 on 15.04.2026. Now, the injured has been discharged from hospital. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the injured underwent treatment for more than twenty days and now discharged from hospital. Hence, he opposed the grant of anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case, that the injured has been discharged from hospital, and the fact that A1 and A2 had already been granted bail by the lower Court, this Court is of the firm view that custodial interrogation of the petitioners is not necessary at this length of time. Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6.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 District**



Munsif cum Judicial Magistrate, Vedaranyam, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 second petitioner shall report before the respondent Police Morning at 10.30 am until further order; the first petitioner shall report before the respondent Police 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 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]*;



C.KUMARAPPAN, J.

(e) If the petitioners thereafter absconds, a fresh FIR can be

WEB COPY registered under Section 269 of BNS Act.

16-04-2026

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To

1.The District Munsif Cum Judicial Magistrate,
Vedaranyam.

2.The Inspector of Police
Vedaranyam Police Station
Nagapattinam District

3.The Public Prosecutor
High Court of Madras.

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