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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. 9527 of 2026

1. N. Mathan Kumar
2. Natrayan

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Vellakoil Police Station
Tiruppur District
(Crime No. 94 of 2026)

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 482 of BNSS, pleaded to enlarge the petitioner on Bail in the event of arrest pending investigation in Crime No. 94 of 2026 on the file of the respondent police.

For Petitioner(s):	Mr.C.S Saravanan CS
For Respondent(s):	Mr.P.Dhileepan Government Advocate (Criminal side)

ORDER

The petitioners apprehend arrest for the alleged offences under Sections 296 (b), 115 (2), 118 (1) of BNS, 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women (Amendment) Act 2002, in Crime No.94 of 2026 on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the defacto-complainant is the wife of the first petitioner. It is alleged that an arrangement existed between them regarding custody of their minor son. When the defacto-complainant purportedly kept the child beyond the permitted period, the first petitioner



questioned her, abused her in filthy language and slapped her, resulted in simple injuries. Hence, the complaint.

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3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and had been falsely implicated in this case. He further states that the occurrence took place on 22.03.2026 and the First Information Report came to be registered on 24.03.2026. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that injured has been discharged from hospital. However, he opposed the grant of anticipatory bail to the petitioners.

5. Considering the totality of the circumstances, specifically that the entire dispute arises from matrimonial discord and that the injured has already been discharged from the hospital, this Court is of the firm view that, custodial interrogation of the petitioners is not necessary at this stage. Accordingly, 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 Judicial Magistrate, Kangeyam**, 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 petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and 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]*;



C.KUMARAPPAN, J.

(e) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

16-04-2026

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To

1.The Judicial Magistrate, Kangeyam.

2.The Inspector of Police,
Vellakoil Police Station
Tiruppur District.

3.The Public Prosecutor
High Court of Madras.

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