



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 17-04-2026**

CORAM

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

**CRL OP No. 9569 of 2026**

1. Mahalingam  
S/o. Govindan.  
D.No.1/247,  
Kottiyan Street,  
M.Kallipatti, Mettur Taluk,  
Salem District – 636453.
2. Govindan  
S/o.Muthusamy,  
No. 1-152, Kottiyan Theru,  
M.Kalipatti,  
Mettur Taluk,  
Salem District - 636453.
3. Kumar  
S/o.Lakshmanan,  
D.No.I /218, Kottiyan Street,  
M. Kallipatti,  
Kukkalpatti,  
Mecheri Mettur Taluk,  
Salem District - 636453.
4. Senthil  
S/o.Lakshmanan,  
D.No. 1/210,  
Kottiyan Street,  
M. Kallipatti,  
Mettur Taluk,  
Salem District - 636453.
5. Annamalai  
S/o. Senthil,  
No.2/65, Ganihi Silai Arukil,  
Majira Kollapatti,  
Sarkar Kollapatti Post,  
Salem District.



6. Megala @ Manimegalai  
W/o.Venkatachalam  
No. 1/225, Sithikullanoor,  
Kottiyan Street,  
M. Kallipatti,  
Mettur Taluk,  
Salem District - 636453.

7. Rekka @ Revathi  
D/o.Senthil,  
Sadayandiyur,  
Majeera Kollapatti,  
Sarkar Kollapatti,  
Salem District - 636030

8. Neelavathi  
W/o.Govindan,  
No. 1 /224, Sithikullanur,  
Kottiyan Theru,  
M.Kalipatti,  
Mettur Taluk,  
Salem District - 636453

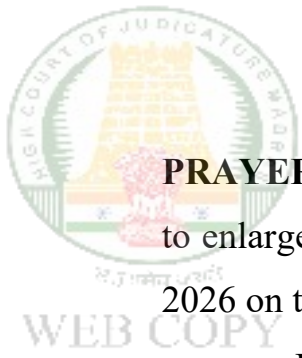
9. Surya  
W/o.Kumar,  
D.No.1/210,  
Chithikallanoor Post,  
M. Kallipatti,  
Kukkalpatti,  
Mecheri,  
Mettur Taluk,  
Salem District - 636453.

..Petitioner(s)

Vs

The State Rep.by, The Sub Inspector of Police,  
Mecheri Police Station,  
Mettur Taluk, Salem District.  
(Crime.No.122/2026).

..Respondent(s)



**PRAYER :** Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime.No.122 of 2026 on the file of the respondent police and thus render justice.

For Petitioner(s): Mr. Prabhakaran Karuppannan

For Respondent(s): MR.P.DHILEEPAN,  
GOVT.ADVOCATE (CRL SIDE)

FOR INTERVENOR: MR.T.MURUGANANTHAM

### **ORDER**

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 118(2) of BNS, 2023 in Crime No.122 of 2026, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that due to previous enmity between the family of the defacto complainant and accused over a pathway dispute, on the date of the alleged occurrence, the petitioners, in furtherance of their common intention, assembled together, trespassed into the house of the defacto complainant, abused them in filthy language and assaulted them using hands, iron rods and a crowbar, thereby causing injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the occurrence is alleged to have taken place on 26.03.2026, whereas the FIR came



to be registered on 28.03.2026. He further submitted that there exists a civil dispute relating to land between the parties and that this case arises out of such dispute. He further submitted that this is a case and case in counter. Hence, he seeks anticipatory bail to the petitioners.

4. The learned counsel for the intervener submitted that the injured is still taking treatment in the hospital, though no medical records have been produced to substantiate the same. He further submitted that the injured had been taken treatment in the Coimbatore Hospital. He further submitted that due to the pending civil dispute, the petitioners became enraged and, on the date of occurrence, entered into the paddy field of the defacto complainant and assaulted him. Hence, he strongly opposed the anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioners assaulted the defacto complainant and others on account of the land dispute by using knife and crow-bar, and that four persons sustained injuries. However, it is submitted that all the injured persons have been discharged from the hospital on 13.03.2026. 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.

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6. From the submissions made on either side, it appears that the dispute is between neighbouring land owners, who are also related to each other and arises out of a property dispute. It is also seen that though the prosecution states that the injured persons have been discharged from the hospital, the same is disputed by the intervener, but has not produced any material to substantiate his claim.

7. Taking into consideration the nature of the allegations against the petitioners, the existence of a civil dispute between the parties, the fact that it is a case and case in counter, and according to Government Advocate the injured has been discharged from the hospital and since the FIR was came to be registered on 28.03.2026, at this length of time, no custodial interrogation of the petitioners is required. Hence, this Court is inclined to enlarge the petitioners 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 (15) days from the date on which the order copy is made ready, before the **learned Judicial**



**Magistrate No.2, Mettur**, 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 Nagercoil and report before the Kattar Police Station, daily at 10.30 am 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]*;



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

**17-04-2026**

DRL

To

1.The Judicial Magistrate No.2,  
Mettur.

2.The Sub Inspector of Police,  
Mecheri Police Station,  
Mettur Taluk,  
Salem District.  
(Crime.No.122/2026).

3.The Public Prosecutor,  
High Court, Madras.



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**C.KUMARAPPAN, J.**

**DRL**

**CRL OP No. 9569 of 2026**

**17-04-2026**