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CRL OP No.9816 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No.9816 of 2026

1.Sanjay

S/o.Balamurugan,

2.Sathish @ Sathishkumar,

S/o.Baskar,

Both are residing at :
No.88/43, Mettu Street,
Thoppukana,
Arcot Town,
Ranipet District.

...Petitioners/
A1 and A2

Vs

State by,
Inspector of Police,
Arcot Town Police Station,
Ranipet District.
Cr.No.125/2026.

...Respondents/
Complainant

Prayer : Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioner on bail in the event of arrest by the respondent police in Cr.No.125/2026 on the file of the respondent police.

For Petitioners:

Mr.Thirumoorthy D

For Respondent:

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



ORDER

The petitioners/A1 and A2, who apprehend arrest for the alleged offences under Sections 296(b), 115(2), and 351(3) of the BNS Act, 2023 [294(b), 323, and 506(2) of the IPC], and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, 2002, in Crime No.125 of 2026, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that while constructing a building in the petitioners' properties, some debris fell in the *de-facto* complainant's property. Due to the same, there was an altercation between them, and in furtherance, these petitioners assaulted the *de-facto* complainant by hand, and the *de-facto* complainant was admitted to the hospital. Hence, the case.

3. The learned counsel for the petitioners/A1 and A2 submitted that the petitioners are innocents and they have not committed any offence as alleged by the *de-facto* complainant. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and they are ready to cooperate for the 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's case and submitted that the injured was discharged from the hospital on the same day as being treated as an outpatient; and that the second petitioner has got two previous cases. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

6. The allegation against these petitioners is that while constructing a building in the petitioners' properties, some debris fell in the *de-facto* complainant's property. In this connection, there was an altercation, and in furtherance thereof, these petitioners assaulted the *de-facto* complainant by hand. However, the *de-facto* complainant discharged from the hospital on the same day as treated as an outpatient. Hence, considering the totality of the circumstances, the nature of the allegation, and the fact that the injured has been discharged from the hospital, this Court is inclined to enlarge the petitioners on bail with certain conditions:



7. At this juncture, the learned Government Advocate (criminal side) would submit that as against the second petitioner, there are two previous cases.

However, those cases are not of a similar nature. Hence, considering the circumstances, the previous cases may not be a factor to deny the anticipatory bail and therefore this Court is inclined to enlarge him on anticipatory bail with certain conditions:

8. Accordingly, the petitioners/A1 and A2 are ordered to be released on anticipatory 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 made ready, before **the learned Judicial Magistrate, Arcot**, on condition that **the petitioners shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty 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 fail to surrender before the concerned 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;



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(c) The petitioners shall sign before the respondent police twice a day at 10.30 a.m., and 5.30 p.m., for a period of one week 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 themselves 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 abscond, a fresh FIR can be registered under Section 269 of BNS Act.

20-04-2026

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To

1. The Judicial Magistrate,
Arcot.
2. The Inspector of Police,
Arcot Town Police Station,
Ranipet District.
3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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