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CRL OP No. 9944 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9944 of 2026

1. Arun Kumar
2. Shanmugam
3. Anbu
4. Dhakshinamurthi

..Petitioners

Vs

State rep.by,
The Inspector of Police,
Alangayam Police Station,
Alangayam,
Tirupathur District.
Cr.No.41 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in the event of their arrest in Cr.No.41 of 2026 on the file of the Inspector of Police, Alangayam Police Station, Alangayam, Tirupathur District.

For Petitioner:

M/s. Vinodh Kumar

For Respondent:

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

ORDER

The petitioners apprehends arrest for the alleged offence under Sections 296(b), 115(2), 118(1) of BNS (294, 323, 324 of IPC) r/w 4 of TNPHW Act in



Crime No.41 of 2026 on the file of the respondent police seek anticipatory bail.

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2. The case of the prosecution is that due to previous land dispute, the petitioners attacked the de facto complainant and his wife and threatened them with dire consequences. Hence, this complaint.

3. The learned counsel for the petitioners submitted that the petitioners were innocent and that they have been falsely implicated in this case. He further submitted that they are ready to abide by any stringent condition that may be imposed by this Court and they are ready to co-operate for 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 case and submitted that it is a case of case and case and counter and totally there are four accused and all the accused are here as petitioners. The occurrence took place on 28.03.2026. He further submitted that the de facto complainant sustained injury and hospitalized for two days and now that he has been discharged from hospital. Hence, he opposed to grant anticipatory bail to the petitioners.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.



6. Considering the facts and circumstances of the case and taking into consideration of the totality of the circumstances and upon the fact that the de facto complainant has been discharged from hospital, this Court is of the firm view that 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 No.III, Tirupathur**, 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 report before the respondent Police, everyday at 10.30 a.m., 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]*;

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

21-04-2026

SHL

To:

1. The Judicial Magistrate No.III,
Tirupathur

2. The Inspector of Police,
Alangayam Police Station,
Alangayam,
Tirupathur District.

3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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