



WEB COPY

CRL OP No. 9939 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. 9939 of 2026

1. Deepak
S/o.Mani,
63A Chithikullanur,
Mettur M Kalipatti Post,
Salem District-636453
2. Naveen
3 122, Kutthiraikaranputhoor Banapuram,
Mettur, VTC Banapuram, Banapuram Post,
Salem Salem District
3. Manivannan
S/o.Govindaraj
Door No.2/80 Chithikullanur
Mettur, M Kalipatti Post,
Salem District. - 636 453
4. Arivazhagan
S/o.Anbalagan
1-209, Kottiyan Street,
M Kalipatti, Salem.
Salem District- 636 453
5. Alagappan
S/o. Gopal
1/238, Kottiyan Street,
M Kalipatti, Mettur Taluk,
Salem, Salem District- 636 453.

..Petitioner(s)

Vs

State Rep. by Inspector of Police
Mecheri Police Station,
Mettur Taluk, Salem District.
Crime No.0123 of 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 by the respondent police in Crime No. 0123 of 2026 on the file of the Inspector of Police, Mecheri Police Station, Mettur Taluk, Salem District on such terms and conditions as this Honorable Court may deem fit and proper and thus render justice.

For Petitioner(s): Mr. M. Elango

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

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(1) of BNS, Act in Crime No.0123 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 defacto complainant and the petitioners over a pathway dispute, a wordy quarrel ensued, during which the petitioners allegedly abused him in filthy language and assaulted him with iron rod and wooden log. 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 this is a case and case in counter. Hence, he seeks anticipatory bail to the petitioners.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that there was an assault due to pathway dispute, in which the defacto complainant sustained simple injuries and was discharged from the hospital after seven days. He further submitted that bail has already been granted in the counter case. Hence, 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.

6. Considering the totality of the circumstances of the case and the fact that the injured has been discharged from the hospital and that bail has already been granted in the counter case, and the FIR was registered on 28.03.2026, at this length of time, this Court is of the 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, 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 Coimbatore and report before the Peelamedu 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];

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

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DRL

To

1.The Judicial Magistrate,
Mettur.

2.The Inspector of Police
Mecheri Police Station ,
Mettur Taluk, Salem District
Crime No.0123 of 2026.

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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