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Crl.O.P.No.10113 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2026

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10113 of 2026

1. Sudhakar
 2. Nithyanandhan
- ... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Fairland Police Station,
Salem District.
(Crime No.83 of 2026)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of their arrest in Crime No.83 of 2026 pending investigation on the file of the respondent police.

For Petitioners : Mr.Siranjeevi R

For Respondent : Mr.P.Dhileepan
Government Advocate (Criminal Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS in Crime No.83 of 2026 on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that during a dispute that arose at the TASMACH shop, the accused, in an inebriated condition, abused the *de facto* complainant and assaulted him with beer bottle, causing injuries. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and a false complaint has been lodged against them. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for the grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for the grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the above facts and circumstances of the case and the nature of the allegation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.V, Salem**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each with two sureties**, each for a like sum, to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] 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;

[c] the petitioners shall not abscond during during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***;

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

30.04.2026

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To

1. The Judicial Magistrate No.V,
Salem.
2. The Inspector of Police,
Fairland Police Station,
Salem District.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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