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Crl.O.P.No.10450 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.10450 of 2026

1. Tamilarasan
2. Vigneshwaran
3. Kanammal
4. Kannan

... Petitioners

Vs.

State represented by
The Inspector of Police,
Chennimalai Police Station,
Erode District.
Crime No.94 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 his arrest by the respondent police in the above Cr.No.94 of 2026 on the file of the respondent.

For Petitioners : Mr.R.Nalliyappan
For Respondent : Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 296(b), 115(2), 118(1), 351(3), 324(4) & 324(5) of BNS, 2023, in Crime No.94 of 2026 on the file of the respondent police seeks anticipatory bail.



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2. The allegation against the petitioners is that that due to parking dispute, the petitioners have assaulted the defacto complainant, due to which, defacto complainant sustained grievous injuries. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the 1st petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured has been discharged from the hospital after taking treatment for 9 days. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.



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5 Considering the nature of injuries sustained by the defacto complainant and that he had taken treatment in the hospital for nine days, this Court is not inclined to grant anticipatory bail to **1st, 2nd & 4th petitioners**. However, taking into consideration the fact that 3rd petitioner is a women aged about 53 years, this Court is inclined to grant anticipatory bail to 3rd petitioner alone.

6. Accordingly, the 3rd petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Erode** , on condition that **the 3rd petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 3rd petitioner 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



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of identify proofs to ensure their identity;

(c) The 3rd petitioner shall report before the respondent police daily at 10.30 a.m., for a period of thirty days and thereafter as and when required;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the 3rd petitioner in accordance with law as if the conditions have been imposed and the 3rd petitioner 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 3rd petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

7. Accordingly, this Criminal Original petition is dismissed in respect of 1st, 2nd & 4th petitioners and allowed in respect of 3rd petitioner.

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To

1. Judicial Magistrate, Erode.
2. The Inspector of Police,
Chennimalai Police Station,
Erode District.
3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN.J.

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