



WEB COPY

Crl.O.P.No.11263 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2026

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.11263 of 2026

1. Kathirvel
2. Banumathi
3. Arun @ Sigamani
4. Selveswaran
5. Vigneswaran
6. Gopalsamy
7. Muthukutti
8. Kumar
9. Kanjimalayan
10. Udhayakumar
11. Senthilkumar
12. Marappan

...Petitioners

Vs.

State represented by its,
The Inspector of Police,
Kottur Police Station,
Coimbatore District.
(Crime No.123 of 2026)

...Respondent

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event
of their arrest in Crime No.123 of 2026, pending investigation on the file
of the respondent police.



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For Petitioners : Mr.N.Ponraj

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 281, 296(b), 115(2) & 351(2) of BNS r/w. Section 3 of the Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992 in Crime No.123 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, owing to political enmity, the petitioners abused and assaulted the de facto complainant, causing him injuries. Hence the case.

3. Learned counsel for the petitioners submitted that it is a case of case and counter case and that, the de facto complainant was the actual aggressor, who, along with other accused persons, assaulted the 1st petitioner, causing him to sustain injuries. He further submitted that based on the complaint given by the 1st petitioner, an FIR was registered against the *de facto* complainant and others in Crime No.122 of 2026 and without



considering the fact that the present complaint is nothing but a counter blast to the complaint lodged by the 1st petitioner, the respondent police had entertained the same, which is not sustainable. 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 and further taking note of the fact that it is a case of case and counter case, this Court is inclined to grant anticipatory bail to the petitioners with 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 days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.II, Pollachi**, 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;

[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

WEB COPY be registered under Section 269 of B.N.S.

30.04.2026

skt

To:

1. The Judicial Magistrate No.II,
Pollachi.
2. The Inspector of Police,
Kottur Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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