



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 11527 of 2026

1. Vaiyapuri
S/o Ezhumalai,
No.3/188, South Street,
T.Kolathur,
Villupuram – 607 209.
2. Gnanavel Nadarajan
S/o Nadarajan,
No.558, Mariyamman Kovil Street,
Sivalingakulam,
Koovagam,
Villupuram - 606 102
3. Sasikala Nadarajan
W/o Vaiyapuri,
Mariyamman Kovil Street,
Sivalingakulam,
Koovagam,
Ulundurpettai - 606 102

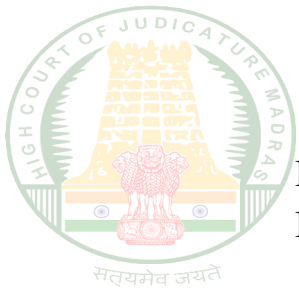
..Petitioner(s)/accused 2,
3 & 5

Vs

The State Rep By,
The Inspector of Police
Thirunavalur Police Station,
Kallakurichi – 607 204.
Crime No.148 of 2026.

..Respondent(s)/
complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, pleaded to enlarge the petitioners on bail in the event of their arrest pending investigation in Crime No.148 of 2026 on the file of the Respondent police.



For Petitioner(s):
For Respondent(s):

Mr.Sathishkumar K
Mr.S.Balaji
Government Advocate (Criminal side)

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ORDER

This Criminal Original Petition has been filed by the petitioners under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2.The petitioners / Accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 191 (2), 191 (3), 126 (2), 296 (b), 115 (2), 118 (1), 74 and 351 (3) of the Bharatiya Nyaya Sanhita, 2023 in Crime No. 148 of 2026 on the file of the respondent police.

3.The case of the prosecution is that the defacto complainant and the third accused are neighbors. The third accused is alleged to have approached the complainant seeking assistance for the purchase of JCB vehicle and the complainant claims to have facilitated the same. It is further alleged that a sum of Rs.60,000/- remained unpaid by the third accused, which resulted in dispute. Subsequently, it is alleged that third accused availed a loan by pledging the said vehicle and a sum of Rs.2,50,000/- was credited to the complainant's bank account. For which the petitioners abused the complainant in filthy, obscene



language, assaulted him/her using wooden log, and threatened with dire consequences. Hence, the case.

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4.The learned counsel for the petitioners submitted that the petitioners are innocent persons and have been falsely implicated in this case with a malafide intention and ulterior motive. He would further submit that this is a case and counter-case. He further submitted that the injured has already been discharged from the hospital and no previous case is pending against the second petitioner. Therefore, he prayed to grant an order of pre-arrest bail to the petitioners.

5.The learned Government Advocate (Criminal side) appearing for the respondent opposed the grant of anticipatory bail to the petitioners considering the nature of the allegations involving physical assault and weapons under the BNS provisions. He submitted that injured admitted to hospital on 26.04.2026 and however, confirmed that the injured has been discharged from the hospital on 02.05.2026.

6.Heard on both sides. This Court has perused the records.

7.The case of the prosecution is that the petitioners attacked the defacto complainant, abused with filthy language, and caused injuries. The learned counsel appearing for the petitioners submitted that the petitioners are innocent,



the injured is discharged, and no previous case is pending against the second petitioner and one previous case is pending against first and third petitioners.

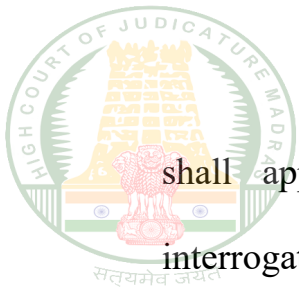
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8.Considering the above facts and circumstances of the case, the nature of offence, and the fact that the injured has been discharged from the hospital, this court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions.

(i)The petitioners shall be released on bail in the event of arrest or in the event of surrender before the learned Judicial Magistrate II, Ulundurpet, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each along with two sureties each for a like sum of Rs.25,000/- each to the satisfaction of the learned Judicial Magistrate II, Ulundurpet;

(ii)The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(iii)The first and second petitioners shall appear and sign before the respondent police, daily at 10.00 a.m. until further orders; the third petitioner



shall appear before the respondent Police as and when required for interrogation;

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(iv)The petitioners shall make themselves available for interrogation by police as and when required;

(v) The petitioners shall furnish their residential address and mobile number to the concerned Magistrate.

(vi)The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

(vii)On breach of any of the aforementioned conditions, the learned Judicial Magistrate II, Ulundurpet /Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) 13 SCC 283].



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R.SAKTHIVEL, J.

9. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

21-05-2026

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Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order, when uploaded on the official website of this Court, will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate II,
Ulundurpet.

2. The Inspector of Police
Thirunavalur Police Station,
Kallakurichi.

3. The Public Prosecutor
High Court of Madras.

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