



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-05-2026

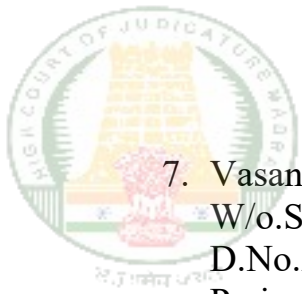
CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL OP No. 11698 of 2026

1. Gomathi
C/o.Sakthivel,
No.9/180, Thippampatti,
Kattuvalavu, Konur,
Salem-636 404.
2. Sakthivel
S/O.Jayakodi,
No.9/180, Thippampatti,
Kattuvalavu, Konur,
Salem-636 404.
3. Karthik
S/o.Settu,
D.No.2/269, Kaspakattuvalavu,
Periyasogai, Mettur,
Salem-636 502.
4. Murugan
S/o.Settu,
D.No.2/269, Kaspakattuvalavu,
Periyasogai Mettur,
Salem 636 502.
5. Settu
S/o.Andiyappan,
D.No.2/269, Kaspakattuvalavu,
Periyasogai, Mettur,
Salem-636 502.
6. Srimathi
C/o0.Murugan Settu,
D.No.2/269, Kaspakattuvalavu,
Periyasogai, Mettur,
Salem-636 502.

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7. Vasantha
W/o.Settu,
D.No.2/269, Kaspakattuvalavu,
Periyasogai, Mettur,
Salem-636 502.

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police
Nangavalli Police Station,
Salem District.
Crime No. 88 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, praying to enlarge the Petitioners on bail in the event of their arrest by the respondent police in Crime No.88 of 2026 pending investigation on the file of Inspector of Police, Nangavalli Police Station, Salem District .

For Petitioner(s): Mr.A. Saravanan

For Respondent(s): Mr.A.Gopinath,
Government Advocate (crl.side)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 296(b), 115(2) and 118(1) of B.N.S.,2023 in Crime No.88 of 2026 on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that the de facto complainant is having land adjacent to the petitioner's land and when the petitioners have



insisted the de facto complainant not to enter their land, on 12.04.2026, she trespassed into their land and picked tamarind. Therefore, there was a dispute arose between them, as a result of which, they said to have abused the de facto complainant in filthy language, assaulted with hands and also criminally intimidated her. Hence, the complaint.

3. The learned counsel for the petitioners submitted that they are relatives and when a land dispute arose between them, the de facto complainant used to trespass their land and caused interference. He would submit that they are innocent persons and they have not committed any offence as alleged in the complaint. He would further submit that they are ready and willing to abide any condition that may be imposed by this court and they undertake to cooperate with the investigation. He would also submit that as a counterblast for the complaint lodged by the petitioners in Crime No. 89 of 2026, the de facto complainant had lodged the present complaint. Accordingly, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case. He further submitted that the petitioners attacked the defacto complainant and caused severe injuries to her. Hence, he opposed to grant anticipatory bail to the petitioners.



5. At this juncture, the learned counsel for the petitioners submitted that the petitioners, without prejudice to their defense and contention, are ready and willing to deposit an amount of Rs.5,000/- each to any association. Hence, he prays for grant of bail to the petitioner.

6. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

7. Considering the fact that the injured discharged from the hospital and as a counterblast for the complaint lodged by the petitioners in Crime No. 89 of 2026, the de facto complainant had lodged the present complaint and also taking note of the fact that the petitioners have come forward to deposit an amount of Rs.5,000/- each to the credit of "Tamil Nadu Advocate Clerk Association, Chennai", this Court is inclined to enlarge the petitioners on anticipatory bail, subject to certain conditions.

8. Accordingly, the petitioners shall pay a sum of Rs.5,000/- (Rupees five Thousand only) each as cost to the **Tamil Nadu Advocate Clerk Association, Chennai** and on such payment, 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 Court -I, Mettur**, on condition that **the petitioners shall execute a**



bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each, with two sureties each, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fail 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 report before the respondent police daily at 10.30 a.m for a period of three 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 abscond, a fresh FIR can be registered under Section 269 of BNS Act.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RPP/JRS

To

1.The Judicial Magistrate Court-I, Mettur.

2.The Inspector of Police
Nangavalli Police Station, Salem District.

3.The Public Prosecutor, High Court, Madras.



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L.VICTORIA GOWRI J.

rpp/jrs

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