



CRL OP No. 12043 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12043 of 2026

1. Rajasekar

2. Shanthini

..Petitioners

Vs

State rep. by its,
The Inspector of Police,
Katpadi Police Station,
Vellore District
(Crime No.108 of 2026)

..Respondent

Prayer : Criminal Original Petition filed under Section 482 of B.N.S.S, to enlarge the Petitioners on bail in the event of their arrest in Crime No.108 of 2026, on the file of the respondent.

For Petitioners:

Mr.W.Camyles Gandhi

For Respondent:

Mr.A.Gopinath,

Government Advocate (Crl.Side)

ORDER

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 351(2) of BNS and read with Section 4 of TNPWH Act (294(b), 323 & 506(i) of IPC), in connection with the Crime No.108 of 2026, seek anticipatory bail.



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2. The case of the prosecution is that the petitioners and the defacto complainant belong to same village. On the date of occurrence, a wordy quarrel arose between the petitioners and the defacto complainant's son and his relative, while they were returning home from the shop. Thereafter, the petitioners/A1 and A2, along with A3, attacked the defacto complainant and her family members and abused them in filthy language. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution 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 on the petitioners. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent opposed for the grant of anticipatory bail to the petitioners by reiterating the prosecution case. However, he submitted that the first accused is involved in seven previous cases and that no previous cases are pending against the second accused. He further submitted that the injured was treated as an out patient.



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

6. Considering the rival submissions made on either side, the nature of the offences, and the fact that, though the first petitioner is involved in seven previous cases in all cases bail was granted to him and no previous cases are pending against the second petitioner and also the fact that the injured was treated as an out patient, I am inclined to grant anticipatory bail to the petitioners, subject to the following 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 **Judicial Magistrate, Katpadi**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police, **on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.**

[b] 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 or tamper with the evidence;

[c] the petitioners shall not leave India without the previous permission of the Court;

[d] the petitioners shall not abscond 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 be registered under Section 269 B.N.S.2023.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

LPP



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To

1. The Judicial Magistrate,
Katpadi.

2. The Inspector of Police,
Katpadi Police Station,
Vellore District.

3. The Public Prosecutor,
High Court, Madras.



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P.DHANABAL J.

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