



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

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THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13172 of 2026

1. Vathani

2. Vachala

3. Kuppulakshmi

..Petitioners/Accused 1 to 3

Vs

State Rep. by The Inspector of Police
Kasimedu Police Station,
Chennai.
(Crime No. 158 of 2026)

..Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 842 of Bharatiya Nagarik Suraksha Sanhita praying to grant an order of pre-arrest bail to the petitioners / Accused in the event of their arrest by the Respondent police concerned in Crime No. 158 of 2026 on the file of the Inspector of Police, Kasimedu Police Station, Chennai or on their appearance before the court and thus render justice.

For Petitioners:

Mr.Y. Deva Arul Prakash

For Respondent:

Mr.S.Balaji, Govt. Advocate (Crl.Side)



ORDER

This Criminal Original Petition has been filed by the petitioners under Section 842 of Bharatiya Nagarik Suraksha Sanhita 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 118(1) and 324(b) of the Bharatiya Nyaya Sanhita, 2023 in Crime No. 158 of 2026 on the file of the respondent police.

3.The case of the prosecution is that the defacto complainant, who is the mother-in-law of the 1st petitioner, lodged a complaint dated 10.05.2026 to the respondent police alleging that on the same day, due to enmity regarding a chit fund dispute, the petitioners abused the complainant in filthy, obscene language, assaulted him/her, and threatened them with dire consequences. Hence, the case.

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, as the 1st petitioner Vathani had also preferred a complaint against her mother-in-law and others regarding the same chit fund dispute, which was registered by the respondent police in Crime No. 159 of 2026. He



further submitted that the injured has already been discharged from the hospital and no previous case is pending against the petitioners. Therefore, he prayed to grant an order of pre-arrest bail to the petitioners.

5.The learned Government Advocate (Crl.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, however, confirmed that the injured has been discharged from the hospital.

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 them with filthy language, and caused injuries over a chit fund dispute, leading to a counter-case in Crime No. 159 of 2026. 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 petitioners.

8.Considering the above facts and circumstances of the case, the existence of a counter-case in Crime No. 159 of 2026, the fact that the injured has been discharged from the hospital, and also considering the fact that no



previous case is pending against the petitioners, this court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions.

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(i)The petitioners shall be released on bail in the event of arrest or in the event of surrender before the learned XVI Metropolitan Magistrate Court, George Town, Chennai, within a period of 15 days from today, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each along with two sureties each for a like sum of Rs.10,000/- to the satisfaction of the learned XVI Metropolitan Magistrate Court, George Town, Chennai;

(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 petitioners shall appear and sign before the respondent police, daily at 10.00 a.m. until further orders;

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

(v)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;

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(vi) On breach of any of the aforementioned conditions, the learned XVI Metropolitan Magistrate/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].

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

21-05-2026

Index : Yes/No

Internet : Yes/No

Neutral citation : Yes/No

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Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.**



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To

1. The XVI Metropolitan Magistrate Court,
George Town, Chennai.

2. The Inspector of Police
Kasimedu Police Station,
Chennai.

3. The Public Prosecutor,
High Court, Madras.

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R.SAKTHIVEL, J.

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