



Crl.O.P.No.13173 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2026

CORAM:

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

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1. Sarathkumar
S/o.Ramamoorthi

2. Prakash
S/o.Annadurai

3. Theivanayagam
S/o.Veerappan

4. Chinnamani
S/o.Velmayil

5. Manikandan
S/o.Ranganathan

6. Thamaraiselvi
W/o.Ramamoorthi

7. Sivaraman
S/o.Murugan

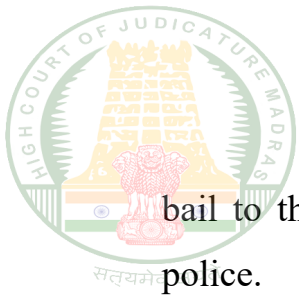
... Petitioners/Accused 1 to 7

Versus

State rep. by
The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
(Crime No.145 / 2026)

... Respondent/Complainant

PRAYER :- Criminal Original Petition filed under Section 482 of the
Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest
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bail to the petitioner in Crime No.145 of 2026 on the file of the respondent police.

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For Petitioners : Mr.G.Saravanabhavan
Advocate

For Respondent : Mr.A.Gopinath
Government Advocate (Criminal Side)

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 18.05.2026 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners/ A1 to A7, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 191 (2), 191(3), 296(b), 115(2), 118(1), 351(3), 74, 109 of BNS in Crime No.145 of 2026 on the file of the respondent police.

3. The case of the prosecution is that on 23.04.2026, on the state assembly elections day when the brother of the defacto complainant went to casting his vote, the 1st petitioner and others forced him to vote DMK. The brother of the defacto complainant refused to cast his vote to DMK and replied to them his vote his right hence a wordy quarrel arose between them and the petitioners abused him and assaulted him by using iron rod and abused him



using foul language. Hence, the case.

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4. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that it is a 'case in counter' for attacking the defacto complainant's brother, which resulted in grievous injury. Hence, counter case has been registered in Crime No.143 of 2026; and that no previous case is pending against the petitioners. Accordingly, he prayed to grant an order of pre-arrest bail to the petitioners.

5. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that totally 7 persons involved in this case; that the petitioners herein are A1 to A7. He further submitted that the cases in Crime No.143 of 2026 and Crime No.145 of 2026 are 'cases in counter'; that the injured person was taken treatment as out-patient in the hospital.

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

7. This case and the case in Crime No.143 of 2026 are 'cases in counter'. The case of the prosecution is that the petitioners attacked the defacto complainant's brother, abused them with filthy language and assaulted him



using iron rod. The learned counsel appearing for the petitioners submitted that the defacto complainant due to election dispute abused the petitioners communally that they belong to SC/ST community and hence wordy quarrel arose between them. This Court was informed that the petitioners caused simple injuries to the defacto complainant and taken treatment as out-patient.

8. Considering the above facts and circumstances of the case, the nature of the offence alleged to have committed by the petitioners and also considering the fact that this case and Crime No.143 of 2026 are 'cases in counter' and also considering the fact that the injured person taken treatment as out-patient in 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 their arrest or in the event of their surrender before the learned **Judicial Magistrate II, Ulundurpet** within a period of 15 days from today, 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/- to the satisfaction of the learned **Judicial Magistrate II, Ulundurpet**;

(ii) The petitioners shall appear and sign before the **respondent police**,



daily at 10.00 a.m, until further orders;

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(iii) 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 Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(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;

(vi) The petitioners shall not enter into the defacto complainant's house and workplace; and

(vii) The petitioners shall not leave India without the prior permission of the trial Court; and

(viii) On breach of any of the aforementioned conditions, the learned



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Judicial 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]**.

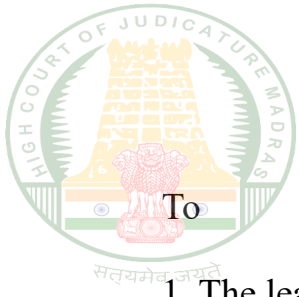
9. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

**21.05.2026
(RSVJ)**

Index : Yes/No
Neutral citation : Yes/No
dpq

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 learned Judicial Magistrate II,
Ulundurpet.

2. DO THROUGH:
The Chief Judicial Magistrate, Ulundurpet.

3. The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.

4. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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