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Crl.O.P.No.13252 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.13252 of 2026

1.Elumalai
2.Sumathi

... Petitioners

Vs.

State Rep. by
The Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai District.
(Crime No.125 of 2026)

... Respondent

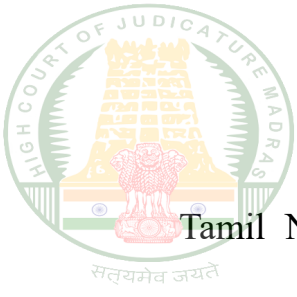
PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.125 of 2026 pending investigation on the file of the respondent police.

For Petitioners : Mr.T.Shanmugam

For Respondent : Mrs.R.S.Indira,
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offences under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, and Section 4 of the



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Tamil Nadu Prohibition of Harassment of Women (Amendment) Act, in

Crime No.125 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that, due to previous enmity, the petitioners along with other accused abused the de fact complainant and her family in filthy language and assaulted the husband of the de facto complainant with a knife, whereby both sustained injuries. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and have not committed any offence as alleged by the prosecution and that they have been falsely implicated in this case. He further submitted that the petitioners are ready to co-operate with the investigation. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed the anticipatory bail application and would submit that the injured has already been discharged from the hospital.



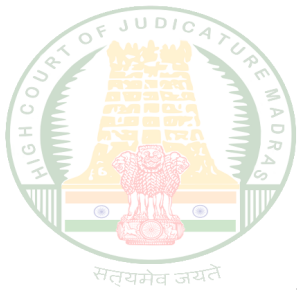
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5. Taking into consideration the totality of the circumstances, including the fact that the occurrence took place on 30.04.2026 and that the injured has been discharged from the hospital, this Court is of the firm view that, at this length of time, custodial interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail, subject to certain conditions:

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned **Additional Mahila Court, Tiruvannamalai**, on condition that the **petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fails to surrender before the concerned 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;



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(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 two 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 absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To

- 1.The Additional Mahila Court, Tiruvannamalai.
- 2.The Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai District.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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