



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13544 of 2026

1. Kumutha
W/o.Mayilsamy,
No. 123, East Street,
Chinnakavur, Thermal Post,
Mettur, Salem District
2. Purushothaman
S/o. Govindhan,
No. 7/29, Poosaridasan Valavu,
Jalagandapuram Post,
Surapalli,Salem District
3. Yamuna,
W/o. Govindhasamy,
No. 1/141, Kondidhasan Valavu,
Manikkampatti,
Samuthiram PO,
Salem District
4. Bharath
S/o. Mayilsamy,
No. 123, East Street,
Chinnakavur, Thermal Post,
Mettur, Salem District

..Petitioners/
Accused 1 to 4

Vs

State rep by
The Inspector of Police
Jalakandapuram Police Station,
Salem District.
(Cr.No.87 of 2026)

..Respondent/
Complainant



PRAYER :- Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.87 of 2026 on the file of the respondent-police.

For Petitioners : Mr.C.Deepak Kumar,
Advocate

For Respondent : Mr.C.R.Malarvannan,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the petitioners on 18.05.2024 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 115(2), 118(1), and 351(3) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, in Crime No.87 of 2026 on the file of the respondent police.

3. The case of the prosecution is that there has been a longstanding civil dispute relating to land and enjoyment of village property between the family of the petitioners and the family of the defacto complainant, owing to which frequent quarrels had arisen between both groups. On 09.04.2026, at about 4.30 pm at Mettur Taluk, Surappalli village, during the customary practice offered as temple donations in the Mariamman temple, a wordy altercation allegedly took



place between the family, resulting in injuries. Hence the case.

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4. Mr.C.Deepak Kumar, learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners have permanent residence and therefore, prayed to grant anticipatory bail to the petitioners.

5. Mr.C.R.Malarvannan, learned Additional Public Prosecutor appearing for the respondent police submits that there exists a longstanding dispute between the families of the petitioners and the defacto complainant with regard to land and enjoyment of village property and that, due to the previous enmity, a quarrel had arisen between both groups during which the petitioners allegedly caused injuries to the defacto complainant. He was admitted in hospital and discharged also. He further submitted that there is no previous case against the petitioners. However he opposes to grant pre arrest bail to the petitioners.

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

7. Considering the facts and circumstances of the case, the nature of the allegations, and the existence of a longstanding civil dispute between the parties, this Court is of the view that the matter appears to have arisen out of previous enmity between both families. Taking into account that the investigation is still pending and that the custodial interrogation of the



petitioners do not appear to be required to the Investigating Agency, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions.

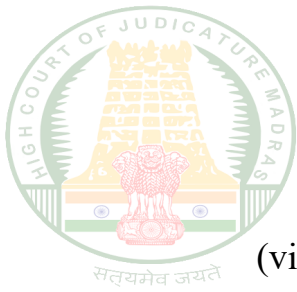
(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the **learned Judicial Magistrate-II, Mettur** within a period of 15 days from today, on executing a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each, along with two sureties each for a like sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the satisfaction of the **learned Judicial Magistrate-II, Mettur**.

(ii) The petitioners shall appear and sign before the respondent Police, weekly twice i.e. on Monday and Friday at 10.00 a.m until further orders;

(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-II, Mettur** shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioners shall furnish their residence address and mobile number to the concerned Judicial Magistrate.

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



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(vi) 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;

(vii) The petitioners shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence;

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

(ix) On breach of any of the aforementioned conditions, the **learned Judicial Magistrate-II, Mettur or Trial Court** is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].

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

22-05-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

JRS/MTL



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R.SAKTHIVEL J.

JRS/MTL

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.**

To

- 1.The Judicial Magistrate-II, Mettur.
- 2.The Inspector of Police,
Jalagandapuram Police Station,
Salem District.
- 3.The Public Prosecutor, High Court, Madras.

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