



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13587 of 2026

1. Ramesh

Son of Mr.Ramachandran,
No.130,Mettu street,
Vakkoor Village, Vikravandi Taluk,
Villupuram District.

2. Dinesh Kumar

Son of Mr.Ramesh
No 130 Mettu street,
Vakkoor Village, Vikravandi Taluk,
Villupuram District

..Petitioners/
Accused 1 & 2

Vs

State by Inspector of Police
Vikravandi Police Station,
Villupuram District.
Crime No.165 of 2026

..Respondent/
Complainant

PRAYER :- Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant an order of pre-arrest
bail to the petitioners in Crime No.165 of 2026 on the file of the respondent-
police.

For Petitioners : Mr.P.Ramesh Kumar,

For Respondent : Mr.A.Amarnath,
Counsel for Government of Tamil Nadu



(Criminal Side)

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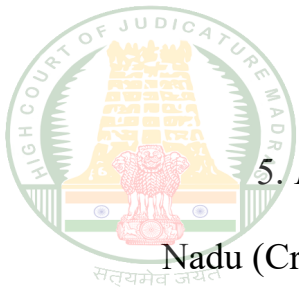
ORDER

This Criminal Original Petition has been filed by the petitioners on 18.05.2026, under Section 482 of 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 296(b) and 132 of Bharatiya Nagarik Sanhita 2023 in Crime No.165 of 2026 on the file of the respondent police.

3. The case of the prosecution is that while the defacto complainant, who is working as a Process server in the District Munsif cum Judicial Magistrate Court, Vikravandi, while serving summons on the petitioners in connection with OS.NO.49 of 2026, the petitioner allegedly abused her in filthy language and obstructed her from discharging her official duties, and hence the case.

4. The 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 allegations made against the petitioners are false and that the petitioners had merely expressed their anguish regarding the civil dispute in OS.NO. 49 of 2026. He further submits that the petitioners have permanent residence and ready to abide any conditions as imposed by this Court and therefore, prayed to grant anticipatory bail to the petitioners.

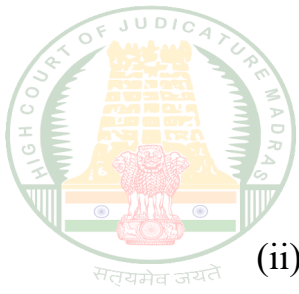


5. *Per contra*, Mr.A.Amarnath, learned counsel for Government of Tamil Nadu (Criminal Side) appearing for the respondent police submits that while the defacto complainant, who is employed as a Process Server in the District Munsif cum Judicial Magistrate Court, Vikravandi, while serving summons on the petitioners, they abused her in filthy language and obstructed her from discharging her official duty. He further submits that there is no previous case against 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 submissions made on either side, the Court is of the view that the custodial interrogation of the petitioners does not appear to be required to the Investigation Agency. Further taking into account that the dispute appears to have arisen in connection with a pending civil litigation, 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 his surrender before the **learned Judicial Magistrate, Vikravandi**, 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/-(Rupees Ten Thousand only) to the satisfaction of the **learned Judicial Magistrate, Vikravandi**.



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(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, Vikravandi** 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 respondent- police.

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

(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, Vikravandi 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

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, Vikravandi.

2.The Inspector of Police,
Vikravandi Police Station,
Villupuram District.

3.The Public Prosecutor, High Court, Madras.



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R.SAKTHIVEL J.

JRS/MTL

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