



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-06-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13740 of 2026

1. Thirukkumaran
2. Amarthanathan

..Petitioner(s)

Vs

The State rep by its,
The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District.in Crime No.232 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail in the
event of their arrest in Cr.No.232 of 2026 on the file of the respondent police.

For Petitioner(s):	M/s.R.Raji
For Respondent(s):	Mr.S.Yogaraja Sekar Government Advocate (Criminal side)

ORDER

The petitioners apprehend arrest for the alleged offences under Sections
191 (2), 191 (3), 296 (b), 115 (2), 351 (3) and 109 (1) of BNS, 2023, in Crime
No.232 of 2026 on the file of the respondent police seek anticipatory bail.

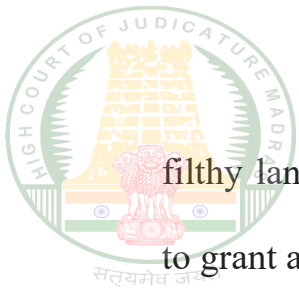
2. The case of the prosecution is that due to previous enmity, the first
petitioner attacked the defacto-complainant with a knife causing injuries to his
head and hands, after which he was admitted to the Kallakurichi Government
Hospital. Hence, the complaint.



3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and had been falsely implicated in this case. He further submitted that petitioners are ready to abide by any conditions that may be imposed by this Court and that they are ready to cooperate with the investigation. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the first petitioner assaulted the defacto-complainant with a knife and the second petitioner used filthy language against him. He stated that there are no other allegations against the second petitioner. He further submitted that while the first petitioner has five previous cases registered against him, the second petitioner has no criminal antecedents. He also submitted that injured victim has been discharged from the hospital. However, he strongly opposed the grant of anticipatory bail to the petitioners on the ground that the defacto-complainant sustained serious injuries and subjected to twenty-six stitches on his head.

5. Considering the totality of the circumstances, the fact that the first petitioner has five previous cases and the serious allegations against him, this Court does not find any merits in favour of the first petitioner. **Hence, this Criminal Original Petition is dismissed as against the first petitioner.** However, in respect of second petitioner, there are no serious allegations except the use of



filthy language against the defacto-complainant. Hence, this Court is inclined to grant anticipatory bail to the second petitioner, subject to certain conditions.

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6. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.I, Kallakurichi**, on condition that **the second petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 second petitioner fails to surrender before the concerned learned 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;

(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 second petitioner shall appear before the respondent Police daily Morning at 10.30 am and evening at 5.30 p.m. until further orders;**



C.KUMARAPPAN, J.

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(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the second petitioner in accordance with law as if the conditions have been imposed and the second petitioner 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 second petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

01-06-2026

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To

1.The Judicial Magistrate No.I,
Kallakurichi.

2.The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District.

3.The Public Prosecutor
High Court of Madras.

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