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CRL OP No. 13862 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13862 of 2026

and

CRL MP No. 9998 of 2026

1. R.Prabakaran
2. Susila

..Petitioners

Vs

State rep. by
The Inspector of Police,
Sirkazhi Police Station,
Mayiladuthurai District.
Crime No.172 of 2026

..Respondent

Prayer: Criminal Original Petition filed under section 482 of BNSS to enlarge the petitioners on bail in the event of their arrest in Crime No.172 of 2026 on the file of the Inspector of Police, Sirkazhi Police Station, Sirkazhi, Mayiladuthurai District and thus render justice.

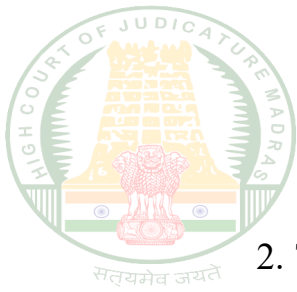
For Petitioners: Mr. R.Naresh Kumar

For Respondent: Ms.R.S.Indira,
Govt.Advocate (Crl.Side)

For Intervenor: Mr.R.Venkatesh

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 296(b), 118 (1) & 351(3) of BNS Act in Crime No.172 of 2026 on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that the petitioners assaulted and abused the de facto complainant in filthy words and caused injuries. Hence, the case.

3. The learned counsel for the petitioners submitted that the 1st petitioner is the maternal uncle of the de facto complainant and the 2nd petitioner is the wife of 1st petitioner. He submitted that there exists a civil litigation between the petitioner and the de facto complainant family and the allegation against the petitioners is that they assaulted the de facto complainant by using hammer. He further submitted that they are ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured persons have been discharged from hospital. However, strongly opposed the grant of anticipatory bail to the petitioners.

5. At this juncture, the learned counsel for the Intervenor submitted that the injured has been discharged from hospital but the injured person is still undergoing pain.



6. I have given my anxious consideration to either side submissions and perused the materials available on record.

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7. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, considering the totality of the circumstances and the pending of civil litigation between the petitioner and the de facto complainant family and upon the fact of their familial relationship and upon the further fact that de facto complainant is discharged from hospital. This Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

8. Accordingly, the petitioners are ordered to be released on 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 is made ready, before the **learned Judicial Magistrate, Sirkazhi**, 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 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



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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 first petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) The second petitioner shall report before the respondent Police as and when required for interrogation;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the 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]*;

(f) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

16-06-2026

SHL

To:

1. The Judicial Magistrate, Sirkazhi

2. The Inspector of Police,
Sirkazhi Police Station,
Mayiladuthurai District.

3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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