



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-05-2026

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

CRL OP No. 13807 of 2026

1. K.Kumar
S/o Kathvarayan,
No.19, Arignar Anna Street, Elapakkam,
Porpanagkaranai,
Chengalpattu District-603 201.
2. Indirani
W/o. Kumar,
No.19, Arignar Anna Street,
Elapakkam, Porpanagkaranai,
Chengalpattu District-603 201.

..Petitioners/Accused 1
& 2

Vs

The State Rep by The Inspector of Police
Orathy Police Station,
Maduranthagam,
Chengalpattu District-603 307.
Crime NO. 53 of 2026

..Respondent/
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the petitioners on Anticipatory Bail in the event of arrest in connection with the Crime No. 53 of 2026 pending Investigation on the file of the respondent police.

For Petitioner(s): Mr. M Prakash

For Respondent(s): Mr.S.Yogaraja Sekar,
Government Advocate (criminal side)

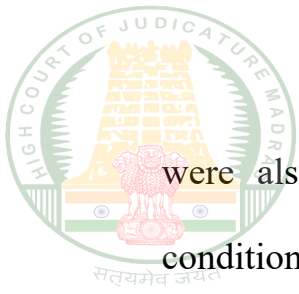


ORDER

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 269(b), 115(ii), 118(i), 351(3) of Bharatiya Nagarik Sanhita (BNS), 2023 read with Section 4 of Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, 2002, in Crime No. 53 of 2026 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that due to a dispute arising out of a civil property issue between the parties, the petitioners allegedly attacked the defacto complainant on 20.05.2026 and caused injuries to her, for which she was admitted in the hospital and, based on the complaint lodged by the defacto complainant, the respondent police registered the present case against the petitioners.

3. The learned counsel for the petitioners, pleading innocence on the part of the petitioners and false implication in the case, seeks indulgence of this Court. He submits that the dispute between the parties is purely civil in nature arising out of a property dispute pending before the competent civil court and that the present complaint has been lodged only due to previous enmity. He further submits that there was a quarrel between both parties in connection with the disputed property, in which both sides sustained injuries and counter cases



were also registered. the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Therefore he prayed to grant anticipatory bail to the petitioners.

4. *Per contra*, the case of the prosecution as put forth by the learned Government Advocate (criminal side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the petitioners attacked the defacto complainant and caused injuries to her and that the investigation is still pending. It is further submits that specific overt acts have been attributed against the petitioners; however the petitioners may give an undertaken that they will not interfere with the investigation or questioning in any manner and that they will not harass the defacto complainant.

5. Having heard the learned counsel for the petitioner, the learned Government Advocate (criminal side) appearing for the respondent police and perused the materials available on record and considering the facts and circumstances of the case and the nature of allegations, this Court is of the view that the dispute between the parties appears to have arisen out of a civil dispute with regard to ancestor property and that both parties have sustained injuries in the occurrence, for which counter cases have also been registered. Further, custodial interrogation of the petitioners is not necessary at this stage. Further the



petitioners have undertaken to co-operate with the investigation and therefore, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate-I, Maduranthakam**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** each with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the concerned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] **the petitioners shall report before the respondent Police, daily at 10.30 a.m., until further orders;**

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial;



WEB COPY



[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]*;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.,2023.

27.05.2026

jrs/rpp

Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.
2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



WEB COPY

CRL OP No. 13807 of 2



MOHAMMED SHAFFIQ, J.

JRS

To:

1. The Judicial Magistrate-I, Maduranthakam.
2. The Inspector of Police
Orathy Police Station,
Maduranthagam,
Chengalpattu District-603 307.
Crime NO. 53 of 2026
3. The Public Prosecutor,
Madras High Court.

CRL OP No. 13807 of 2026

27-05-2026