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Crl.O.P.No.14118 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.14118 of 2026

1. Sundaram
2. Venkattammal

... Petitioners

Vs.

State rep. by its
The Inspector of Police,
Poolampatti Police Station,
Salem District.
(Crime No.156 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.156 of 2026, on the file of the respondent.

For Petitioners : Mr.W.Camyles Gandhi

For Respondent : Mr.N.Palanivel
Government Advocate (Crl.Side)

ORDER

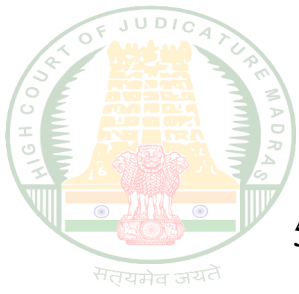
The petitioners apprehend arrest for the alleged offences under Sections 296(b), 318(4), 78 and 351(3) of BNS (294(b), 420, 354(D) & 506(ii) of IPC) in Crime No.156 of 2026, on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that the de facto complainant and the petitioners are residents of the same village. The de facto complainant's daughter, Tamilarasi, was allegedly in a love relationship with the first accused, the son of the second petitioner. It is alleged that, on the promise of marriage, the first accused obtained gold jewels weighing about six sovereigns from her and failed to return a portion thereof. The prosecution further alleges that, when the de facto complainant's daughter visited the petitioners' property on 16.10.2023, she was abused in filthy language and threatened. Subsequently, she allegedly attempted to commit suicide and disclosed that she had been cheated and harassed by the accused persons. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the defacto complainant and they have been falsely implicated in this case. 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 vehemently opposed to grant anticipatory bail to the petitioners.



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5. I have given my anxious consideration to either side submissions.

6. From the submissions made by the learned counsel appearing on either side and the materials available on record, it is seen that there are three accused in the present case. The first accused and the de facto complainant's daughter were admittedly in a relationship. The first petitioner is the brother of the first accused and the second petitioner is his mother. The learned counsel for the petitioners would submit that the de facto complainant's daughter had handed over gold jewels weighing about 6 sovereigns to the first accused in the year 2023 and that the first accused failed to return the same. It is further submitted that, when the de facto complainant's daughter went to the house of the accused demanding return of the said jewels, a wordy altercation ensued, pursuant to which the present First Information Report came to be registered.

7. At this juncture, the learned counsel for the petitioners would submit that the first accused has already been enlarged on bail by the learned Judicial Magistrate, Edappadi, and that the present petitioners are only the brother and mother of the first accused, respectively, and are not the persons to whom the jewels were entrusted by the de facto complainant's daughter.



8. Hence, taking into consideration the fact that the first accused has already been enlarged on bail, that the first petitioner is the brother of the first accused and the second petitioner is his mother, and that the occurrence took place in the year 2023, this Court is of the considered view that custodial interrogation of the petitioners is not required. Therefore, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

9. 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 District Munsif cum Judicial Magistrate, Edappadi** on condition that **each of the petitioners shall execute a 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 fail 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;



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(c) The petitioners shall report before the respondent Police daily at 10.30 a.m., for a period of 15 days and thereafter, as and when required for interrogation;

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

04.06.2026

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To

- 1.The District Munsif cum Judicial Magistrate, Edappadi.
- 2.The Inspector of Police,
Poolampatti Police Station,
Salem District.
- 3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN.J.

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