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Crl.O.P.No.14814 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.14814 of 2026

1.Balakrishnan
2.Ganesan

... Petitioners

Vs.

State Rep. by
The Inspector of Police,
Kaniyur Police Station,
Tiruppur District.
(Crime No.104 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.104 of 2026 pending investigation on the file of the respondent police.

For Petitioners : Mr.N.Balakrishnan

For Respondent : Mrs.R.S.Indira,
Government Advocate (Crl.Side)



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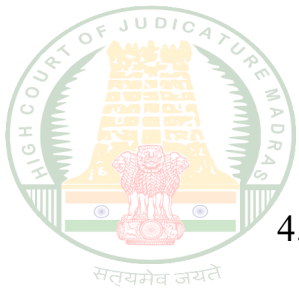
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ORDER

The petitioners apprehend arrest for the alleged offences under Sections 296(b), 118(2) and 351(3) of BNS, 2023 [Corresponding Sections 294(b), 324 and 506(ii) of IPC] r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.104 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that, due to a dispute between neighbours regarding drainage water, the petitioners allegedly abused the de facto complainant in filthy language, assaulted him, and caused simple injuries. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and have not committed any offence as alleged by the prosecution and that they have been falsely implicated in this case. He further submitted that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed the anticipatory bail and would submit that there are about totally three accused in this case and the petitioners have been arrayed as A1 and A2. She would further submit that the injured has been discharged from the hospital on 07.06.2026.

5. Taking into consideration of the totality of the circumstances and the fact that the injured has been discharged from the hospital on 07.06.2026, this Court is of the firm view that, at this length of time, custodial interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory 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 made ready, before the learned **District Munsif cum Judicial Magistrate Court, Madathukulam**, 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:



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(a) If the petitioners fails to surrender before the concerned 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 petitioners shall report before the respondent police daily at 10.30 a.m. for a period of one week, 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 absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To

- 1.The District Munsif cum Judicial Magistrate Court, Madathukulam.
- 2.The Inspector of Police,
Kaniyur Police Station,
Tiruppur District.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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