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CRL OP No. 15257 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15257 of 2026

1. Arun
2. Sathya Ponnusamy
3. Dhanaselvi

..Petitioners

Vs

The State Rep By,
The Inspector of Police
Mangalampet police Station,
Cuddalore.
Crime No.108 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on anticipatory bail in the event of the arrest in Crime No.108 of 2026 pending investigation on the file of the respondent police.

For Petitioners:

Mr.R.Thirumoorthy

For Respondent:

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

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 296(b), 133, 115(2), 118(1) and 351(2) of BNS r/w. 92(a) of Disabled Act in Crime No. 108 of 2026 on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that the petitioners and de facto complainant are close relatives. There exists a civil dispute between them, in continuation of which there was a wordy quarrel between both the families, where the petitioners assaulted the de facto complainant and her daughter, who is a physically challenged person. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners and the de facto complainant are relatives and the issue is only due to civil dispute. He further submitted that the petitioners are innocent and they have not committed any offence as alleged by the de facto 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, upon instructions, submitted that the issue has arisen due to property dispute. He submitted that this petitioners assaulted the de facto complainant using stone and wooden log. Thereby the de facto complaint sustained injury and was in hospital from 02.06.2026 to 13.06.2026. Hence, he opposed to grant anticipatory bail to the petitioners.



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

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6. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, it is seen that there are allegations against the petitioners, considering the fact that the injured was hospitalised from 02.06.2026 to 13.06.2026, and that considering the seriousness of the allegations, **this Court is not inclined to grant anticipatory bail to the first petitioner.** However, since the second and third petitioners are women, **this Court is inclined to grant anticipatory bail to the second and third petitioners subject to certain conditions.**

7. Accordingly, **the second and third 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 Court No.II, Vridhachalam**, 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 second and third 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 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 and third petitioners 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;

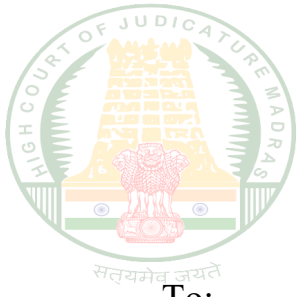
(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the second and third petitioners in accordance with law as if the conditions have been imposed and the second and third petitioners released on anticipatory bail by the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

8. In the result, this Criminal Original Petition is allowed insofar as the second and third petitioners are concerned and dismissed insofar as the first Petitioner is concerned.

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17-06-2026



To:
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1. The Judicial Magistrate Court No.II,
Vridhachalam
2. The Inspector of Police
Mangalampet police Station,
Cuddalore.
3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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