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CRL OP No. 15235 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. 15235 of 2026

1. Muthamizharasan
2. Mohan
3. Devaraj

..Petitioners

Vs

State rep.by
The Sub-Inspector of Police,
Dusi Police Station,
Cr.No.128 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to grant anticipatory bail to the petitioners in the event of arrest of petitioners by police for the reasons stated in the petition, in connection with the case in Cr.No.128 of 2026 on the file of the respondent police.

For Petitioners:

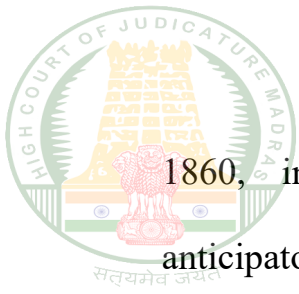
Mr.Anbharasu A

For Respondent:

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

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 296(b), 115(2), 118(1), and 351(3) of the Bharatiya Nyaya Sanhita, 2023, which are *pari materia* to Sections 153A, 506, 341, and 323 of the Indian Penal Code,



1860, in Crime No.128 of 2026 on the file of the respondent police seek anticipatory bail.

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2. The case of the prosecution is that the petitioners assaulted and attacked the de facto complainant. Due to which, the de facto complainant sustained injuries. Hence, the case.

3. The learned counsel for the petitioners submitted 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, upon instructions, submitted that entire issue erupted in furtherance of a parking dispute. He further submitted that this is a case of case and case in counter and that the petitioners have assaulted the de facto complainant by iron rod. He further submitted that the injured person has been discharged after three days. However, 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, taking into consideration of the totality of the circumstances and upon the fact that the injured person has been discharged from hospital, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. 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, Cheyyar**, 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 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, everyday at 10.30 a.m., for a period of fifteen 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 absconds, a fresh FIR can be registered under Section 269 of BNS Act.

17-06-2026

SHL

To:

1. The Judicial Magistrate,
Cheyyar
2. The Sub-Inspector of Police,
Dusi Police Station
3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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