



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15687 of 2026

1. Ramasamy
S/o.Nanjappan,
3/531, Kappayi Kudu,
Karkoodalpatti post,
Rasipuram, Namakkal
2. Abirami
3/531, Kappayi Kadu, Karkoodalpatti Post,
Rasipuram, Namakkal 636 202.
3. Gokila
3/531, Kappayi Kadu, Karkoodalpatti Post,
Rasipuram, Namakkal 636 202

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Ayilpatty Police Station,
Namakkal District.
Crime No.139 of 2025

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on in the event of arrest in connection with the FIR in Crime No.139 of 2025 dated 17.10.2025 on the file of respondent police.

For Petitioner(s):

MR. PRASANTH NARAYANAN PM

For Respondent(s):

MR.N.PALANIVEL,
GOVT.ADVOCATE (CRL.SIDE)



ORDER

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The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 126(2), 115(2), 118(1), 351(3) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.139 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that, due to a long-standing dispute over a common pathway, the accused restrained and obstructed the defacto complainant when she attempted to use the pathway for transporting agricultural produce. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the dispute is civil in nature and that civil suits in O.S.No.84 of 2021 and O.S.No.40 of 2021 are pending before the learned Munsif Court, Rasipuram, Namakkal District. Hence, he seeks 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 dispute relates to immovable property and that the allegations are serious. He further submitted that the occurrence took place in the year 2025, the defacto complainant sustained only simple injuries and was discharged from the hospital, and that the petitioners have no previous criminal antecedents. Hence, he opposed to grant anticipatory bail to the petitioners.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. Considering the totality of the circumstances, the fact that the dispute is intertwined with a pending civil litigation, the case rests substantially on documentary evidence and the fact that the first petitioner is aged about 76 years while the second and third petitioners, are women, this Court is of the firm view that custodial interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail, 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, Rasipuram, Namakkal, 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 slip (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 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.

22-06-2026

DRL



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To

1.The Judicial Magistrate,
Rasipuram, Namakkal.

2.The Inspector of Police
Ayilpatty Police Station,
Namakkal District.

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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