



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16622 of 2026

1. Periyasevi
S/o.Vellaiyagounder,
D.No.27, Mundachiyur Kattuvalavu,
Avaniyur Melmugam Village,
Edappadi taluk,
Salem-637101.
2. Kesavan
S/o.Periyasevi,
D.No.43E, Mundachiyur Kattuvalavu,
Avaniyur Melmugam Village,
Edappadi taluk,
Salem-637101.

..Petitioners/
Accused 1 & 2

Vs

The state rep.by
Inspector of Police,
Edappady Police station,
Salem district.
Cr.No.206 of 2026.

..Respondent/
Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in the event of arrest in connection with Cr.No.206 of 2026, Edappady Police station, Salem.

For Petitioners:

Mayilnathan S
S.Mayilnathan
G.Satheesh

For Respondent:

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



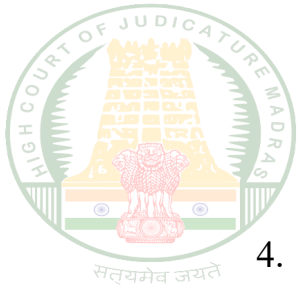
ORDER

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The petitioners apprehend arrest for the alleged offences under Sections 296 (b), 115(2), 118(1) and 351(3) of Bharatiya Nyaya Sanhita, 2023 in Crime No.206 of 2026, on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that due to a civil dispute, the petitioners along with others abused the defacto complainant in filthy words, and they criminally intimidated him. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would submit that the occurrence arose out of a civil dispute relating to land between the petitioners and the de facto complainant. In this regard, a civil suit in O.S. No.55 of 2026 is pending on the file of the Sub Court, Sankagiri. It is further submitted that, owing to the said dispute, a wordy altercation arose between the parties, which subsequently escalated into the alleged occurrence. He would further submit that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and they are willing to cooperate with the investigation. Hence, he prays for grant of anticipatory bail.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the case of the prosecution and vehemently opposed the grant of anticipatory bail to the petitioners and submits that the alleged occurrence took place on 18.06.2026. The de facto complainant sustained a head injury in the incident, was admitted to the hospital on 18.06.2026, and was discharged only on 23.06.2026. However, she fairly submits that the petitioners have no previous criminal antecedents and that a civil dispute between the parties is pending before the competent Civil Court.

5. This Court has considered the submissions made by either side learned Counsel and perused the materials placed before this Court.

6. From the submissions made by the learned counsel appearing on either side, it is seen that the de facto complainant sustained a head injury and underwent treatment as an inpatient from 18.06.2026 to 23.06.2026. At the same time, it is not in dispute that there is a pending civil dispute between the petitioners and the de facto complainant in O.S. No.55 of 2026 on the file of the Sub Court, Sankagiri, and that the petitioners have no previous criminal antecedents. Considering the fact that the injured has already been discharged from the hospital, this Court is of the view that the custodial interrogation of the petitioners is not required at this stage. Hence, this Court is inclined to grant



anticipatory bail to the petitioners, subject to certain following conditions.

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6. 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 cum Munsif Magistrate, Edappady**, on condition that **the petitioners shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, each 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;

(c) **The petitioners are directed to stay at Coimbatore and they shall report before the Singanallur Police Station daily 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on



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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.

01-07-2026

JRS

To

1.The District Munsif -cum-Judicial Magistrate,
Edappady.

2.The Inspector of Police,
Edappady Police station,
Salem district.
Cr.No.206 of 2026.

3. The Public Prosecutor,
Madras High Court.



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C.KUMARAPPAN, J.

JRS

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