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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 23-10-2026**

CORAM

**THE HON'BLE MR.JUSTICE N.RAMESH**

**CRL OP No. 30795 of 2026**

*CNR: {HCMA012560652026}*

1. Madhan @ Madhanraj
2. Vimal @ Vimalkumar
3. Suriya
4. Sushila

..Petitioner(s)

Vs

The State Rep. by,
The Inspector of Police
Omarabed Police Station,
Ambur, Vellore District.
Crime No.354 of 2026.

..Respondent(s)

**PRAYER :** Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner an Anticipatory Bail in the event of his arrest pending investigation in Cr.No.354 of 2026 on the file of the Respondent.

For Petitioner(s): Mr.T.Muruganantham

For Respondent(s): Mr. R.Rajasekaran,
Government Advocate (Crl.Side)



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**ORDER**

The petitioners apprehend arrest for the alleged offences under Sections 296(b), 115(2), 118(1), 351(3) of BNS **in Crime No.354 of 2026** on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant and the second petitioner were married. Subsequently, the second petitioner, without obtaining a divorce from the de facto complainant, married another woman. This led to a verbal altercation between the parties, which eventually escalated into a physical assault. The petitioners allegedly assaulted the de facto complainant with their hands, causing head injuries.

3. The learned counsel for the petitioners submitted that the petitioners are innocent, a false case has been foisted against them, and they have not committed any offence as alleged by the prosecution. He further submitted that the de facto complainant and the mother-in-law had mutually attacked each other, resulting in the registration of a case and a counter-case. He also submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court.



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4. *Per contra*, the learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution's case and submitted that there are four accused in this matter. He stated that the second petitioner is the husband of the de facto complainant, the fourth petitioner is her mother-in-law, and the remaining petitioners are the sons of the fourth petitioner. He further submitted that a matrimonial dispute between the parties escalated into a physical altercation, leading to the registration of a case and a counter-case. However, he fairly conceded that the injured person has been discharged from the hospital. Nonetheless, he opposed the grant of anticipatory bail to the petitioners.

5. I have given my anxious consideration to either side submissions.

6. Considering the facts and circumstances of the case, the nature of the allegations, and the matrimonial dispute between the parties, and further taking into consideration the submissions made by the learned counsel on either side, the familial relationship between the parties, and the fact that the injured person has been discharged from the hospital, this Court is of the firm view that the custodial interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail, subject to certain conditions.



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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, Ambur** on condition that **each of the petitioners shall execute a 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 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 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 1 to 3 shall report before the respondent police daily at 10.30 am for a period of 15 days and thereafter as and when required for interrogation. The fourth petitioner shall report before the respondent Police as and when required for interrogation.**



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(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 are 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 abscond, a fresh FIR can be registered under Section 269 of BNS Act.

**23-10-2026**

Index: Yes/No
Neutral Citation: Yes/No
MFA

To

1.The Judicial Magistrate,
Ambur

2.The Inspector of Police
Omarabed Police Station,
Ambur, Vellore District.

3.The Public Prosecutor,
High Court, Chennai.



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**N.RAMESH, J.**

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