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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

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THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30768 of 2026

CNR:{HCMA012561462026}

Santha
W/o Periyar,
No.40, Kollai Street, Kilkothur,
Vellore District.

..Petitioner(s)

Vs

The State rep by
The Inspector of Police,
Veppamkuppam Police Station,
Vellore District.
Crime no.41 of 2025

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of arrest by the respondent police in Crime No.41/2025 on the file of the respondent police and thus render justice.

For Petitioner(s): Mr.Thirumoorthy D

For Respondent(s): Mr.R.Rajasekaran,
Counsel for Government of Tamil Nadu
(Crl. Side)

Order

The petitioner apprehends arrest for the alleged offence under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 112(1) and 351(3) of BNS [147, 148, 341, 294(b), 323, 324 and 506(2) of IPC], in Crime No.41 of 2025 on the file of the respondent police seeks anticipatory bail.

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2.The case of the prosecution is that, on 03.02.2025, a quarrel arose between the petitioner and the other co-accused and the defacto complainant, who are adjacent landowners, over a property dispute. It is alleged that, while the complainant and his sons were planting coconut trees on their land, the petitioner along with other co-accused abused and manhandled them, resulting in injury to the complainant. Hence, the present case was registered.

3.The learned counsel for the petitioner submitted that the defacto complainant was the aggressor and that the petitioner and the other co-accused were the actual victims who sustained severe injuries. The present complaint was lodged with an ulterior motives and contained false allegations. The petitioner and the other co-accused have filed a counter-case in Crime No.8 of 2025, against the defacto complainant, which is pending. The petitioner herein is A4. The co-accused i.e. A2 had already filed a petition seeking anticipatory bail in Crl.O.P.No.29862 of 2026, which was allowed by this Court vide order dated 15.10.2026. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and to co-operate with the investigation. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police vehemently opposed the grant of anticipatory bail to the

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petitioner. He submitted that it is a case and counter and the injured has been discharged from the hospital. He further submitted that no previous case is pending against the petitioner.

5.Considering the facts and circumstances of the case, the nature of the allegation, and the fact that the occurrence arose out of a property dispute, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory 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 No.III, Vellore,** on condition that **the petitioner shall execute a bond for a sum of Rs.25,000/- each (Rupees Twenty Five 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 petitioner 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

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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 petitioner shall report before the respondent Police, daily at 10.30 a.m. until further orders;

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

23-10-2026

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To

1.The Judicial Magistrate No.III, Vellore.

2.The Inspector of Police,
Veppamkuppam Police Station,
Vellore District.

3.The Public Prosecutor,
High Court of Madras.

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N.RAMESH J.

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