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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. 30821 of 2026

CNR: {HCMA012561902026}

1. Kathir @ Murugan
2. Murugesan
3. Lakshmi

..Petitioner(s)

Vs

The State Rep by
The Inspector of Police
Valathy Police Station,
Villupuram District.
Crime No.223 of 2026. ..Respondent(s)

PRAYER :

Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners in the event of his arrest by the respondetn police in Connection with Crime No. 223 of 2026 pending investigation on file of the respondent police.

For Petitioner(s): Mr.Janarthanan

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), 74 and 351(2) of BNS **in Crime No.223 of 2026** on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that due to prior enmity regarding a land dispute, the first petitioner (A1) initiated a verbal altercation with the de facto complainant. Subsequently, A1, along with the other accused, allegedly assaulted the de facto complainant with bricks and a wooden log. It is further alleged that they abused the de facto complainant's mother-in-law using filthy language and outraged her modesty by pulling her saree. Hence, the complaint.

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 a counter-complaint has been registered against the de facto complainant at the instance of the petitioners in Crime No. 219 of 2026. He stated that the petitioners also sustained grievous injuries and fractures during the incident, on the basis of which the de facto complainant was subsequently arrested and later released on bail. 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 case and opposed to grant 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 underlying dispute between the parties, and further taking into consideration that a case and a counter-case have been registered against the respective parties, as well as the submissions made by the learned counsel on either side, 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.

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, Gingee** 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:

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(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 shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter as and when required;**

(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.

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Index: Yes/No
Speaking/Non-speaking order
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To

1.The Judicial Magistrate,
Gingee.

2.The Inspector of Police
Valathy Police Station,
Villupuram District.

3.The Public Prosecutor,
High Court, Chennai.

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N.RAMESH, J.

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