Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31443 of 2026

CNR: {HCMA012599092026}

1. Malliga

2. Manivel

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police
Kattumannarkovil Police Station, Cuddalore
District.
(Crime No. 233 of 2026).

..Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS praying to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police concerned in Crime No.233 of 2026, on the file of the Respondent Police on such terms and conditions and as this Honourable Court.

For Petitioner(s): Mr.Kasirajan S

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 126(2), 191(2), 191(3), 296(b), 118(1) and 109 of BNS in Crime No.**233 of 2026** on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that, owing to previous enmity regarding a missing cow, the petitioners, along with the other accused persons, wrongfully restrained the de facto complainant, abused him in filthy language, criminally intimidated him, and attacked him with a knife, thereby causing injuries.

3. TThe 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 petitioners are not named as accused in the FIR, and have been implicated in this case solely on the basis of the confessional statement of a co-accused.

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.

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6. Considering the nature of the allegations and the fact that the petitioners are mother and son against whom no specific overt act is attributed, and further noting that the co-accused has already been arrested, 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 District Munsif cum Judicial Magistrate, Kattumannar Kovil** 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;

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(c) **The petitioners shall report before the respondent police daily at 10.30 am 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 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.

30-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

1. The District Munsif cum Judicial Magistrate
   Katumannar Kovil.

2. The Inspector of Police
   Kattumannarkovil Police Station,
   Cuddalore District.

3. The Public Prosecutor,
   High Court, Chennai.

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N.RAMESH, J.

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30-10-2026

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