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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 33109 of 2026

CNR: {HCMA012636912026}

1. Mukkan @ Mookkan

Case QR

2. Kumar

3. Ramaraj

4. Muniyammal

..Petitioner(s)

Vs

1. The State Rep By, The Inspector of Police
   V.Kalathur Police Station,
   Perambalur District
   Crime NO.95 of 2026
2. Pattabiraman

..Respondent(s)

Criminal Original Petition filed under Section 528 of B.N.S.S., 2023 read with 482 of Cr.P.C., to set aside the order dated 28.10.2026 passed in Crl.MP.No.809 of 2026 by the learned Principal District and Sessions Judge, Perambalur.

For Petitioner(s): Mr.Ramesh E C

For Respondent(s): Mr.R.Rajasekaran
Government Advocate (Crl. Side) for R1

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ORDER

This Criminal Original Petition has been filed to set aside the order dated 28.10.2026 passed in Crl.M.P.No.809 of 2026 by the learned Principal District and Sessions Judge, Perambalur.

2. It is a case of assault arising out of previous enmity. The petitioners are the second to fifth accused in Crime No. 95 of 2026, registered for the offences under Sections 115(2), 118(1), 191(2), 296(b) and 351(3) of BNS. According to the prosecution, the accused abused the *de facto* complainant's mother, hit her with a wooden log, and thereby caused bleeding injuries. The learned Principal District and Sessions Judge, Perambalur, had granted anticipatory bail to the petitioners vide order dated 30.06.2026 in Crl.M.P.No. 616 of 2026, subject to certain conditions. One of the conditions was that the petitioners/accused shall appear before the respondent police daily at 10.00 a.m. for a period of 30 days. Subsequently, the 2nd respondent/de facto complainant filed a petition in Crl.M.P.No. 809 of 2026 seeking cancellation of the anticipatory bail granted to the petitioners herein, on the ground that they had failed to comply with the said condition. The learned Principal District and Sessions Judge, by order dated 28.10.2026, cancelled the anticipatory bail granted to the petitioners. The present petition has been filed seeking to set aside the said order dated 28.10.2026.

3. It is alleged that the petitioners failed to comply with the said condition

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for nearly 25 days after the execution of sureties, and thereafter appeared as per their choice and desire and not in compliance with the order of the Court. However, it has been recorded in the impugned order that the petitioners complied with the said condition continuously from 01.08.2026, upon becoming aware of the filing of the petition for cancellation of bail. Thus, it is evident that the petitioners have complied with the said condition, however belatedly.

4. Now it is stated that the investigation has been completed, the charge sheet has been filed, and the same has been taken on file in C.C.No. 140 of 2026. Furthermore, after the cancellation of bail, A1 was arrested and subsequently released on bail, and there is no allegation of threatening or tampering with witnesses, or of absconding.

5. The cancellation of bail already granted requires cogent and overwhelming circumstances. In the absence of such compelling reasons, cancelling bail is an unduly harsh step.

6. Accordingly, the impugned order dated 28.10.2026 passed in Crl.M.P.No.809 of 2026 by the learned Principal District and Sessions Judge, Perambalur, is set aside and the anticipatory bail already granted to the petitioners is restored.

7. With the above observations, this Criminal Original Petition is allowed.

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To

1. The Principal District and Sessions Judge,
Perambalur.

2. The The Inspector of Police
V.Kalathur Police Station,
Perambalur District

3. The Public Prosecutor
High Court of Madras

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N.RAMESH, J.

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