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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32452 of 2026

CNR: {HCMA012656362026}

Sankar

Case QR

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
Vettavalam Police Station,
Tiruvannamalai District.
Crime No.212 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioner on bail in the event of arrest in Crime no.212 of 2026 on the file of the Respondent Police Station.

For Petitioner(s): Elvin Niha.S

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

ORDER

The petitioner, apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Sections 126(2), 296(b), 115(2), 118(1), 351(3) of BNS in Crime No.212 of 2026, on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that the de-facto complainant, Palani, had a land dispute with his brother Elumalai. On 19.10.2026, at about 4.45 a.m., when the de-facto complainant went to his land for irrigation, the petitioner allegedly intercepted him, prevented him from irrigating the land, abused and attacked him with a knife, and threatened him with dire consequences. Due to the attack, the de-facto complainant sustained injuries and was admitted to the Government Hospital, Tiruvannamalai, for treatment. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that there is a case in counter case against the defacto complainant and a false case has been foisted against the petitioner. Therefore, he prays for grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) would submit that the injured has been discharged from the hospital and there are no previous cases against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, the fact that the dispute arises out of enmity between relatives over sharing water from a common well, and also taking note of the fact that it is a case and counter-case

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and that the injured has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Kilpennathur, Tiruvannamalai District,** on condition that **the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen 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 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 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., for a period of 15 days and thereafter as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the

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

10-11-2026

MPA

To

1. The Judicial Magistrate, Kilpennathur, Tiruvannamalai District.

2. The Inspector of Police
Vettavalam Police Station,
Tiruvannamalai District.
Crime No.212 of 2026.

3. The Public Prosecutor, High Court of Madras.

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N.RAMESH, J.

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