



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-01-2026

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THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL.O.P.No.122 of 2026

Sadayappan

..Petitioner

Vs

State by,
The Inspector of Police
Vaazhapadi Police Station,
Salem.
Cr.No.432 of 2025.

..Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., 2023, to enlarge the petitioner on Anticipatory bail in the event of his arrest, pending investigation in Cr.No.432/2025, on the file of the respondent police.

For Petitioner : Mr.K.Balu

For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)

Order

The petitioner, who apprehend arrest at the hands of the respondent police for the offence under Sections 191(2), 191(3), 296(b), 118(1) & 351(3) of BNS, in Crime No.432 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The allegations against the petitioner is that, due to intra-party enmity, while the sitting member of the assembly had visited the condolence meeting on 04.11.2025, at about 12.15 hrs, 25 persons gathered together and attacked the persons who have accompanied the sitting MLA and also involved in damaging the vehicles and value of the damage is to the tune of Rs.12 lakhs. Hence, the case.

3(i). The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that, the petitioner has objected the visit of sitting MLA and the persons who have accompanied the MLA have started attacking the petitioner and he also break the vehicle and in the alleged occurrence, many have been injured and they have also lodged a counter complaint against the defacto complainant, however, no action has been taken. He further submitted that, injured in this case has been discharged from the Government Hospital and again have voluntarily admitted for the purpose of denying the rights of the petitioner to claim bail.

(ii) The learned Senior Counsel appearing for the petitioner submitted that the earlier anticipatory bail petition was dismissed solely on the ground of previous cases and that most of those cases pertain to protests on public issues. He further submitted that the petitioner is not habitual offender and that the cases against them are not grave in nature. He also submitted that the petitioner



is agriculturists and, in view of the Pongal festival, he is required to attend to agricultural activities, and hence sought leniency. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the earlier anticipatory bail petition was dismissed on account of the petitioner's bad antecedents and that the value of the damage caused is huge. Hence, he opposed the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. This Court, upon perusal of the earlier order passed by this Court and the other connected materials, had earlier taken note of the previous cases and dismissed the anticipatory bail petition. It is now submitted that the said previous cases are not serious in nature and are alleged to be politically motivated. Further, this Court had dismissed the anticipatory bail petition on 24.11.2025 in Crl.O.P.No.31671 of 2025, and thereafter, the respondent police have not chosen to take the petitioner into custody. This Court also takes note of the fact that anticipatory bail has been granted to the co-accused in the present case. Therefore, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned District Munsif Cum Judicial Magistrate, Vaazhapadi***, on condition that the petitioner shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand Only), each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (a) the sureties shall affix his photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity;
- (b) the petitioner shall report before the respondent police, daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;**
- (c) the petitioner shall not tamper with evidence or witness either during investigation or trial;
- (d) the petitioner shall not abscond either during investigation or trial;
- (e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005)]***



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AIR SCW 5560); and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

07.01.2026

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To

1. The District Munsif Cum Judicial Magistrate,
Vaazhapadi.
2. The Inspector of Police
Vaazhapadi Police Station,
Salem.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.

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