



CRL OP(MD). No.3980 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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1.Saravanan

2.Selvam

3.Senthilkumar

... Petitioners / A1, A2 & A4

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Nerkuppai Police Station,
Sivagangai District.
(Crime No.28 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, to enlarge the petitioners on bail in the event of arrest in Crime No.28 of 2026 on the file of the respondent police or on their appearance.

For Petitioners : Mr.A.Ilayaraja

For Respondent : Mr.P.Kottai Chamy,
Government Advocate
(Criminal Side)



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ORDER : The Court made the following order :-

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The petitioners/accused, who apprehend arrest at the hands of the respondent police in Crime No.28 of 2026 for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, seek anticipatory bail.

2. The case of the prosecution is that on 14.02.2026, an EB post was installed in the field belonging to the defacto complainant. Due to the said dispute, the accused persons, with a motive, abused the defacto complainant in filthy language, assaulted him with lethal weapons, caused both simple and grievous injuries, and criminally intimidated him with dire consequences. Hence, a case has been registered against the petitioners for the aforesaid offences.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have not committed any offence as alleged by the prosecution. He further submitted that the injured has been discharged from the hospital. He also submitted that the dispute between the parties is civil in nature. Hence, he prayed for grant of anticipatory



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bail to the petitioners.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the second petitioner has 4 previous cases. He further submitted that A3 has been arrested and released on bail. He also submitted that the allegations disclose a serious offence involving assault with weapons. Therefore, he objected to the grant of anticipatory bail to the petitioners.

5. This Court heard the learned counsel on either side and perused the materials placed on record.

6. Considering the facts and circumstances of the case, the fact that the injured has already been discharged from the hospital and also taking into account the undertaking given by the petitioners to deposit a certain amount, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.



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7. Accordingly, this petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order made ready, before the learned District Munsif cum Judicial Magistrate, Singampunari, Sivagangai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall make a payment of Rs.5,000/- (Rupees Five Thousand only) each to the defacto complainant. In the event of refusal by the defacto complainant to receive the said amount, the petitioners are directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) each to the credit of Crime No.28 of 2026 on the file of the respondent-police, before the learned District



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Munsif cum Judicial Magistrate, Singampunari, Sivagangai District, within a period of fifteen days (15) from the date on which the order copy is made ready. In turn, the learned Judicial Magistrate shall deposit the said amount in an interest bearing Fixed Deposit in any nationalized Bank initially for a period of one year and renew them periodically until the final order / judgment is passed in the case in Crime No.28 of 2026. The learned Judicial Magistrate or Trial Court shall pass orders *qua* entitlement of the said amount in its final order / Judgment;

(c) the petitioners shall appear and sign before the respondent police daily at 10.30 a.m. for a period of fifteen (15) days and thereafter, as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on



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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) AIR SCW 5560]***; and

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

12.03.2026

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To

- 1.The District Munsif cum Judicial Magistrate,
Singampunari,
Sivagangai District.
- 2.The Inspector of Police,
Nerkuppai Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

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