



Crl.O.P.(MD)No.4966 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 09.03.2026

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The HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL OP(MD)No.4966 of 2026

1.Parvathy

2.Esakkiyammal

... Petitioners

Vs.

The State of Tamil Nadu,
The Inspector of Police,
Courtallam Police Station,
Tenkasi District.
(Crime No.90 of 2026)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 482 of BNSS 2023, to enlarge the petitioners on the bail in the event of their arrest by the respondent police or their appearance before the learned Judicial Magistrate concerned pending investigation concerned in Crime No.90 of 2026 on the file of the respondent police.

For Petitioners : Mr.A.Sivanu Pandian

For Respondent : Mr.P.Kottai chamy
Government Advocate (Crl.Side)



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ORDER:

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 115(2), 324(3) and 351(3) of BNS (294(b), 324, 323, 427 and 506(ii) of IPC) in Crime No.90 of 2026, on the file of the respondent police, seeks anticipatory bail.

2.The first petitioner is the mother of the second petitioner, and the defacto complainant is the husband of the second petitioner. On 26.02.2026, owing to a dispute between the petitioners and the defacto complainant, the petitioners allegedly abused the defacto complainant in filthy language, assaulted him, and threatened him with dire consequences. Based on the said allegations, the defacto complainant lodged a complaint before the respondent police, pursuant to which a case in Crime No.90 of 2026 was registered for the aforesaid offences.

3.The learned counsel appearing for the petitioners would submit that, the due to the family dispute, there was some wordy altercation, which resulted into the occurrence. He would further submitted that the petitioners are an innocent persons and they are no way connected with the alleged occurrence as stated by the prosecution. He further submitted that the petitioner is ready and



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willing to abide by any conditions that may be imposed by this Court. Further the injured discharged from hospital. Hence, he seeks anticipatory bail to the petitione

4.The learned Government Advocate (Crl. Side) appearing for the respondent, on instructions, would submit that, the injured person has been discharged from the hospital. However, he opposed the grant of anticipatory bail to the petitioners.

5.This Court considered the rival submission made by the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent and perused the materials available on record.

6.From a reading of the complaint and the materials placed before this Court, it appears that the dispute between the parties has arisen among family members. Having regard to the overall circumstances of the case, the nature of the allegations and the fact that the dispute essentially emanates from among family members, this Court is of the view that the petitioners can be granted the relief of anticipatory bail, subject to appropriate conditions, so as to ensure their



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cooperation with the investigation. Since all the petitioners are the family members, common surety is permitted for them.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that the petitioners shall execute a ***common surity*** 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 ***learned Judicial Magistrate, Shencottah***, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions that:

[a] ***the learned Judicial Magistrate, Shencottah, is hereby directed to accept the common surity.***

[b] 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 Aadhaar card or bank pass book to ensure their identity.

[c] the petitioners shall report before the respondent police as and when required for interrogation.

[d] the petitioners shall not tamper with the 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



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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 is 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)AIR SCW 5560]***.

[g]If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

09.03.2026

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To

- 1.Judicial Magistrate,
Shencottah.
- 2.The Inspector of Police,
Courtallam Police Station,
Tenkasi 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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