



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.03.2026

PRESENT

The HONOURABLE JUSTICE MR. K.K.RAMAKRISHNAN

CRL OP(MD). No.5165 of 2026

Gurusamy

... Petitioner/Accused No.1

Vs

The State of Tamilnadu Rep.,By,
The Inspector of Police,
Peraiyur Police Station,
Madurai District.
Crime No.26 of 2026.

... Respondent/Complainant

For Petitioner : Mr.N.Mariappan

For Respondent : Mr.N.Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.26 of 2026 on the file of the
respondent police.



ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences under Sections 191(2), 191(3), 296(b), 329(4), 115(2), 118(1), 351(3) of BNS and Section 4 of TNPHW Act, in Crime No.26 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is none other than the son-in-law of the petitioner and he is working in Indian Army (BSF) at Punjab. He came to his native place on 27.12.2025 and on 13.01.2026, his wife committed suicide. Due to that motive, on 13.02.2026, the petitioner and the other accused are said to have trespassed into the house of the complainant and abused him in filthy language and assaulted him with a wooden log, iron rod and stones and caused injuries to him and criminally intimidated her. Hence, the respondent police registered a case against the accused for the aforesaid offences. Hence, this petition.



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3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that after hearing the death of his daughter, he went to the complainant's house and demanded the her jewels. In the said circumstances, the present case has been foisted against him with a false allegation. He further submitted that A2 & A3 were already arrested and released on bail and the remaining accused were released on anticipatory bail. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) strongly opposed to grant anticipatory bail to the petitioner stating that the petitioner illegally trespassed into the house of the complainant and made assault upon him and the investigation is in preliminary stage.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner's daughter committed suicide in the matrimonial home and the remaining accused were already released on bail and anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



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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 days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Peraiyur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with 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 Judicial Magistrate, Peraiyur, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioner 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 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;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(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) AIR SCW 5560]* and;

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

12.03.2026

dss

To

- 1.The Judicial Magistrate,
Peraiyur.
- 2.The Inspector of Police,
Peraiyur Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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K.K.RAMAKRISHNAN,J.,

dss

**ORDER
IN
CRL OP(MD) No.5165 of 2026**

Date : 12.03.2026