



Crl.O.P.(MD)No.5440 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.03.2026

PRESENT

The HONOURABLE Mr.JUSTICE. K.K.RAMAKRISHNAN

CRL.OP.(MD).No.5440 of 2026

1.Mohana

2.Sarath @ Sarathkumar

... Petitioners

Vs.

The State of Tamil Nadu,
Represented by the Inspector of Police,
Anna Nagar Police Station,
Madurai City.
(Crime No.123 of 2026)

... Respondent

For Petitioners : Mr.R.PrabuRamachandran

For Respondent : Mr.M.Karunanithi
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER in all cases :-

For Anticipatory Bail in Crime No. 123 of 2026 on the file of the respondent police.

ORDER: The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 329(4), 191(2), 115(2), 118(1),



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324(4), 351(3) of BNS, in Crime No.123 of 2026, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 08.02.2026 at 12.00 hours, there is a dispute between the daughter-in-law, and mother of the deceased relating to the disbursement of the Advocate Welfare Fund. In the result, the petitioners and other accused said to have assaulted the defacto complainant. Hence, the FIR was registered for the above said offences.

3.The learned counsel for the petitioners submitted that the petitioners have been falsely implicated in this case and they are innocent persons. There is no such occurrence has been taken place as mentioned in the FIR. However, the injured person in this case has been discharged from the hospital. Hence, he seeks this Court to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) appearing for the respondent on instructions submitted that there is no previous case pending against the petitioners. He vehemently opposed the grant of anticipatory bail to the petitioners stating that the petitioners made assault upon the defacto complainant. After the treatment the injured has been discharged from the



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hospital.

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5.Considering the nature of allegation and also the petitioners have no previous case, the parties are close relatives and the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, this criminal original petition is allowed and 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 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 Learned Judicial Magistrate No.VI, Madurai, within a period of fifteen days from the date on which the order made ready 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 Aadhaar card or bank pass book to ensure their identity.

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

[c]the petitioners shall not tamper with the evidence or witness either



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during investigation or trial.

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[e]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 are 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].

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

17.03.2026

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To

- 1.The Judicial Magistrate No.VI, Madurai.
- 2.The Inspector of Police,
Anna Nagar Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J

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ORDER
IN
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