



CRL OP(MD). No.6443 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 01/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1. Surya

2. Muthukaman

3. Thamaraiselvi

... Petitioners/ Accused No.1 to 3

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
Cr.No.109 of 2026.

... Respondent/Complainant

PRAYER :-

For Anticipatory Bail in Crime No.109 of 2026 on the file of the
respondent Police.

For Petitioner : Kalyani J,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the



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respondent for the offences punishable under Sections 296(b), 118(1) and 351(3) of BNS, 2023 (Corresponding Sections 296(b), 324 and 506(i) of IPC), in Crime No.109 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the complainant is the son-in-law of the petitioners 2 & 3 and brother-in-law of the first petitioner. Due to the family dispute, on 10.03.2026, the petitioners are said to have trespassed into the house of the defacto complainant and abused him in filthy language and also attacked him their hands and a stick and caused injury. Hence, a case has been registered against the accused for the aforesaid offences. Hence, this petition.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case and they are no way connected in the above said incident. He would further submit that the injured was discharged from the hospital and the and no previous cases is pending against the petitioners. Hence, he prays to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) would submit that due to family dispute, the petitioners are said to have trespassed into the house of the defacto complainant and abused him in filthy language and also attacked him their hands and a stick and caused injury. Hence, he opposes to grant anticipatory bail to the petitioners. However, he fairly conceded that the injured was discharge from the hospital and no previous case is pending against the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences, and there is a family dispute between the parties and no previous cases is pending against the petitioners and the injured was discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on anticipatory bail on condition to execute a bond



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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.I, Usilampatti**, and on further conditions that:

[b] the petitioners shall report before the respondent police, every Saturday at 10.30 a.m. for a period of four weeks, and thereafter as and when required for the interrogation.

[c] the petitioners shall not commit any offences of similar nature.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in



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P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

7. The learned counsel for the petitioners made a request before this Court that this Court may order a common surety on the ground that the petitioners herein are the family members.

8. It is for the learned Judicial Magistrate to consider if any such request is made by the petitioners at the time of furnishing sureties.

01.04.2026

dss



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P. DHANABAL,J

dss

To

- 1.The Judicial Magistrate No.I,
Usilampatti.
- 2.The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

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