

(2026) 05 MAD CK 1300

In the Madras High Court, Madurai Bench

Case No : Criminal Original Petition (MD) No. 9468 Of 2026

Peter @ John Peter And Others

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 13-05-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 115(2), 118(1), 269, 296(b)

Citation : (2026) 05 MAD CK 1300

Hon'ble Judges : K.K.Ramakrishnan, J

Bench : Single Bench

Advocate : M.Dinesh Hari Sudarsan, M.Sakthi Kumar

Judgement

K.K.Ramakrishnan, J

1. The petitioners, who apprehend arrest at the hands of the respondent police for the offences under Sections 296(b), 115(2), 118(1) and 357(3) of BNS, 2023 in Crime No.115 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, due to money dispute between the parties, the petitioners are said to have assaulted the defacto complainant. The respondent police upon obtaining the statement from the victim registered a case in Crime No.115 of 2026 for the aforesaid offences. Hence, the petition.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that a false case has been registered against them. Hence, he seeks anticipatory bail for the petitioners.

4. The learned Government Advocate (Criminal Side), on instructions, submitted that a case in counter case has been registered and in the counter case, the petitioners sustained injury and were hospitalised. He further submitted that there is no previous case against the petitioners.

5. Considering the facts and circumstances of the case and also the submissions made by the learned counsel for the petitioners and a case in counter case has been registered and in the counter case, the petitioners sustained injury and were hospitalised and no previous case is pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Tiruchirappalli, within a period of fifteen days from the date of receipt of a copy of this order, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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 No.II, Tiruchirappalli, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impressions 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 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 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 P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560] and;

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