

(2026) 05 MAD CK 1332

In the Madras High Court

Case No : Criminal Original Petition No. 13439 Of 2026

Suguna And Others

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 27-05-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 115(2), 269, 294(b), 308(3), 324(4), 329(4), 351(3)

Citation : (2026) 05 MAD CK 1332

Hon'ble Judges : Mohammed Shaffiq, J

Bench : Single Bench

Advocate : Silambu Selvan S, S.Yogaraja Sekar

Judgement

Mohammed Shaffiq, J

1. The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 308(3), 329(4), 324(4), 296(b), 115(2), 351(3) of BNS 2023 in Crime No.64 of 2026 on the file of the respondent Police, seek anticipatory bail.

2. The learned counsel for the petitioners, pleading innocence on the part of the petitioners and false implication in the case, seeks indulgence of this Court. He submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Therefore he prayed to grant anticipatory bail to the petitioners.

3. The case of the prosecution as put forth by the learned counsel for Government of Tamil Nadu (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the 1st petitioner is the mother and 2nd petitioner is the sister of the de facto complainant. The 3rd petitioner is the husband of the 2nd petitioner. There was a family dispute among them regarding property partition. On 10.05.2026, the petitioners went to the place of

the de facto complainant and there arose a wordy quarrel and assaulted each other. He further submitted that due to family dispute, the petitioners assaulted the de facto complainant and the case has been registered.

4. Having heard the learned counsel for the petitioners, the learned counsel for Government of Tamil Nadu for the respondent Police and perused the materials available on record and considering the nature of offences, the facts and circumstances of the case and the totality of the circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Thandrapet on condition that the petitioners shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, 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 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 petitioners shall report before the respondent Police, daily at 10.30 a.m., until further orders;

[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];

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