



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 19316 of 2026

1. Rajarajacholan
2. Kalaingar @ Karunanithi

..Petitioners

Vs

The State represented by
The Inspector of Police,
Udayarpalayam Police Station,
Crime No.220/2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime No.220 of 2026 on the file of the respondent police.

For Petitioner: Mr.V.Illanchezian

For Intervenor: Mr.L.Poovendra Perumal

For Respondent: Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 27.06.2026 for the alleged offences under Sections 191(2), 191(3), 296(b), 118(1), 326(f), 351(2), 49 of BNS Act r/w. Sec.3 of Tamil Nadu Public Property (Prevention of Damages and Loss) Act in Crime No.220 of 2026 on the file of the respondent police, seeks bail.

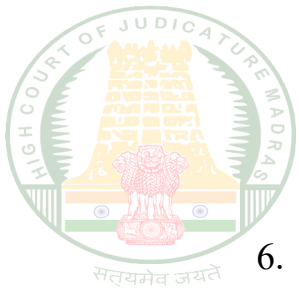


2. The case of the prosecution is that due to a temple dispute, the petitioners abused and attacked the defacto complainant and his wife with a wooden log, causing them to sustain bleeding injuries. It is further alleged that the petitioners indiscriminately attacked the victims, caused damage to the asbestos sheets of a cattle shed and set fire to bundles of paddy waste.

3. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is further submitted that the present matter arises out of a case and counter-case. The learned counsel further submits that the petitioners have been in judicial custody since 27.06.2026 and are ready to abide by any conditions that may be imposed by this Court. Hence, he prays for the grant of bail.

4. The learned counsel appearing for the intervenor submitted that the counter-case was closed as 'mistake of fact' and that the defacto complainant sustained a bone fracture and the petitioners set fire to the paddy, causing a loss of Rs.5 lakhs. Hence, he strongly opposed the grant of bail to the petitioners.

5. The learned Government Advocate (Crl.Side) appearing for the respondent, while opposing the grant of bail to the petitioners, reiterated the prosecution case and, on instructions, submitted that the investigation is still pending and that injured has been discharged from the hospital on 01.07.2026.



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6. I have given anxious consideration to the submissions made by the learned counsel on either side.

7. Considering the submissions of the learned counsel on either side, the period of incarceration undergone by the petitioners since 27.06.2026 and the fact that the injured persons have already been discharged from the hospital, this Court is of the view that the petitioners' further custody for the purpose of investigation is not required, as a major portion of the investigation might have been completed by this time. Hence, this Court is inclined to enlarge the petitioners on bail, subject to certain conditions

8. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only), with two sureties each for a like sum each to the satisfaction of the **learned Judicial Magistrate-II, Jayankondam**, and subject to the following conditions:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;



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[b] the petitioners are directed to deposit a sum of **Rs.25,000/- (Rupees Twenty-Five Thousand Only)** each, as a non-refundable deposit, to the credit of the Dean, Government Medical College Hospital, Ariyalur, within a period of four weeks from the date of their release;

[c] the petitioners are directed to stay at Sivagangai District and report before the Inspector of Police, Sivagangai Taluk Police Station, Sivagangai District twice a day at 10.30 a.m. and 05.30 p.m. until further orders;

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

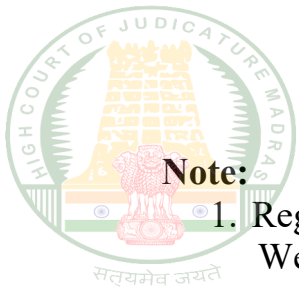
[e] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[f] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[g] if the petitioners thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

23-07-2026

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate-II, Jayankondam.
2. Central Prison, Trichy.
3. The Inspector of Police,
Udayarpalayam Police Station.
4. The Public Prosecutor, High Court of Madras.



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CRL OP No. 19316 of 2



C.KUMARAPPAN, J.

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CRL OP No. 19316 of 2026

23-07-2026