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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.12.2025

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.35379 of 2025

Marimuthu

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Dharapuram Police Station,
Tiruppur District
(Crime No. 589 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
2023 to enlarge the petitioner on bail in Crime No.589 of 2025 on the file of
the respondent police.

For Petitioner : Mr.C.Sundaramoorthy

For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
06.12.2025, for the alleged offences punishable under Sections 296(b) and
109 (1) of BNS, 2023 in Crime No.589 of 2025, on the file of the
respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner's daughter developed an illicit relationship with one Deivaraj, who is the cousin of the defacto complainant. On the date of the alleged occurrence, the petitioner picked up a quarrel with the victim and assaulted him with an iron pipe, causing injuries to him. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that, in order to safeguard himself, the petitioner acted in self-defence and that the injuries sustained by the victim were not intentional. He further submitted that the petitioner is innocent and has no role in the alleged offence. He would further submit that the petitioner was arrested and is in judicial custody from 06.12.2025. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that, on the date of the alleged occurrence, the petitioner picked up a quarrel with the victim and, with an intention to take revenge, assaulted him with a wooden log due to the enmity arising out of the elopement of his daughter with the victim. He further submitted that the



injured was discharged from the hospital and that the petitioner has no previous case pending against him. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the rival submissions made by the learned counsel on either side, the nature of the offence, the fact that there are no previous cases pending against the petitioner, that the injured was discharged from the hospital and also considering the period of his incarceration, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Dharapuram, and on further conditions that:-

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.



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[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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].



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

26.12.2025

drl

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,
Dharapuram.
- 2.The Inspector of Police,
Dharapuram Police Station,
Tiruppur District
- 3.The Superintendent,
Central Prison, Coimbatore.
- 4.The Public Prosecutor,
High Court of Madras.

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P.DHANABAL, J.

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