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Crl.O.P.Nos.1307 & 1335 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2026

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.Nos.1307 & 1335 of 2026

1.Jaishankar

2. Govindharaj ... Petitioners/A1 & A2 in Crl.O.P.No.1307 of 2026

Anbarasu Petitioner in Crl.O.P.No.1335 of 2026

Vs.

The State represented by
The Inspector of Police,
Karimangalam Police Station,
Dharmapuri.
(Crime No.491 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.491 of 2025 pending on the file of the respondent Police.

For Petitioners : Mr.G.Paramasivam

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on
05.08.2025, for the offence punishable under Sections 103 and 61(2) of BNS
in Crime No.491 of 2025, registered on the file of the respondent, seeks bail.



Crl.O.P.Nos.1307 & 1335 of 2026

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2. The case of the prosecution is that the deceased is the son of the 1st petitioner, who was born through his first wife and he used to continuously harass the family members and also prior to the occurrence, ie., on 26.11.2025, the deceased has also attempted to attack the 1st accused in this case and hence, he joining hands with another son, who was born through his second wife entered into the house of the deceased and attacked him with bricks, stones and also strangulated him. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the deceased in this case have bad antecedents and he continuously harassed the family members and unable to bare the continuous harassment, the occurrence have taken place Hence, he prays for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation in this case is pending and the petitioners were arrested recently. Hence, he opposed to grant bail to the petitioners.



5. On perusal of the records, it revealed that, the deceased had continuously harassed the petitioners which enraged them to get rid of the deceased and accordingly, occurrence was taken place and the petitioners were arrested. Considering the above facts and also the fact that the major part of the investigation has been completed, this Court is inclined to grant bail to the petitioners with certain conditions:

6. Accordingly, the petitioners is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **District Munsif Cum Judicial Magistrate Court, Karimangalam** and on further conditions that:

[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;

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



Crl.O.P.Nos.1307 & 1335 of 2026

[c] the petitioners shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

22.01.2026

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Crl.O.P.Nos.1307 & 1335 of 2026

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. District Munsif Cum Judicial Magistrate Court, Karimangalam
2. The Inspector of Police,
Karimangalam Police Station,
Dharmapuri.
3. The Central Prison, Dharmapuri
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.Nos.1307 & 1335 of 2026

K.RAJASEKAR, J.

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Crl.O.P.Nos.1307 & 1335 of 2026

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