



Crl.O.P.No.3785 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.3785 of 2026

1. Mani
 2. Manikandan
- ...Petitioners

Vs.

State rep. by,
The Inspector of Police,
Tharamangalam Police Station,
Salem.
Crime No.617 of 2025.

...Respondent

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 of Cr.P.C., to call for the records relating to Crl.M.P.No.40 of 2026, on the file of the Principal Sessions Court, Salem and to set aside the order dated 08.01.2026, dismissing the relaxation petition and consequently allow the relaxation petition.

For Petitioners : Mr.U.Gowri Shankar

For Respondent : Mr.S.Santhosh, GA (Crl. Side)



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ORDER

This criminal original petition has been filed seeking to quash the order dated 08.01.2026 passed by the learned Principal Sessions Judge, Salem in Crl.M.P.No.40 of 2026.

2. The brief facts are as follows:

2.1. The petitioners herein are arrayed as accused in Crime No.617 of 2025 registered on the file of the respondent police for the offences under Sections 296(b), 115(2), 118(1) and 351(2) of BNS. The petitioners herein filed an Anticipatory Bail petition before the learned Principal Sessions Judge, Salem in Crl.M.P.No.3111 of 2025, who, vide order dated 11.11.2025, granted anticipatory bail in favour of the petitioners and directed them to appear before the learned Judicial Magistrate, Omalur, daily at 10.00 am except holidays, until further orders (for a minimum period of 30 days).

2.2. Since the petitioners have duly complied with the said condition imposed by the learned Principal Sessions Judge, Salem, they filed a petition under Section 483(1)(b) of BNSS in Crl.M.P.No.40 of 2026 seeking to relax the above said condition relating to appearance imposed on them. However, the learned Principal Sessions Judge, Salem, vide order dated 08.01.2026, dismissed the said relaxation petition, solely on the



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ground that the petitioners have failed to comply with the said condition on two days ie., 27.11.2025 and 31.12.2025. Aggrieved by the same, the petitioners have come up with this petition.

3. Learned counsel for the petitioners submitted that the petitioners were complying with the condition pertaining to appearance imposed by the learned Principal Sessions Judge, Salem, from 13.11.2025 diligently, without any default and therefore, the petitioners filed a petition seeking relaxation of the said condition, since the petitioners are the sole bread winners of their respective families and due to the said condition, the petitioners were unable to attend their day-to-day work. However, the learned Principal Sessions Judge, Salem, without considering any of the above said facts, dismissed the relaxation petition, vide impugned order, solely on the ground that the petitioners failed to comply with the bail condition on 27.11.2025 and 31.12.2025 respectively, which is not sustainable. He further submitted that due to some family dispute, the petitioners were unable to appear before the learned Judicial Magistrate, Omalur and their non appearance is neither wilful nor wanton. Accordingly, he prayed for appropriate orders of this Court setting aside the impugned order dated 08.01.2026.



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4. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the FIR in Crime No.617 of 2025 came to be registered very recently only on 05.11.2025 and that investigation in this case is under progress.

5. Having heard the learned counsel appearing on both sides and upon perusal of the materials available on record, this Court is inclined to relax the condition imposed in Crl.M.P.No.3111 of 2025, vide order dated 11.11.2025.

6. Accordingly, this criminal original petition stands allowed and the order passed by the learned Principal Sessions Judge, Salem, in Crl.M.P.No.40 of 2026 on 08.01.2026 is hereby set aside and the petitioners are directed to appear before the respondent police on 1st and 3rd Saturdays of February and March 2026 at 10.30 am and thereafter, the petitioners shall appear before the respondent-police as and when required.

17.02.2026

skt

Neutral Citation: Yes/No



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To:

WEB COPY

1. The Principal Sessions Judge,
Salem.
2. The Judicial Magistrate,
Omalur.
3. The Inspector of Police,
Tharamangalam Police Station,
Salem.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

skt

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