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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.1566 of 2026

Vijaykumar

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Kottapatti Police Station,
Dharmapuri District.
(Crime No.148 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.148 of 2025 on the file of the respondent police.

For Petitioner : Mr.J.Pradeep

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.09.2025 for the offences punishable under Sections women missing @ 103 of BNS Act, 2023 in Crime No.148 of 2025, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that, due to money dispute, he attacked the deceased with a koduval, severed the head and buried the head in two different places. Initially, a case was registered as a woman missing case. After committing the offence, the petitioner went to Vellore Prison and informed the prison authorities that he had murdered the deceased and expresses his willingness to surrender. He was thereafter taken into custody, the Sections were altered accordingly, and the body was recovered. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and that he is judicial custody since 17.09.2025. He further submitted that the petitioner has no previous case and that investigation has been completed. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation is completed and the charge sheet was also filed in S.C.No.5 of 2026 on the file of the Mahila Court, Dharmapuri, and that the petitioner has no previous case pending against him. However, 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 submissions made by the learned counsel on either side, the nature of the allegations, the fact that the investigation is completed



and the final report filed and that the petitioner has no previous case pending against him, the motive behind the occurrence and also considering the period of his incarceration, this Court is inclined to grant bail with certain conditions.

7. Accordingly, the petitioner 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 **Judicial Magistrate Court, Harur**, and on further conditions that:

[a] 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 petitioner shall report before the concerned Court daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

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

[d] the petitioner shall not tamper with the evidence or witness 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 petitioner in accordance with law as if the conditions



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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];

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

27.01.2026

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 Court,
Harur.

2.The Inspector of Police,
Kottapatti Police Station,
Dharmapuri District.

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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