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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05.02.2026**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.2657 of 2026

Krishnan

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Thalaivasal Police Station,
Salem District.
(Crime No.458 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.458 of 2025 on the file of the respondent police.

For Petitioner : Mr.N.Sudharsan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.12.2025 for the offences punishable under Sections 296(b) and 103(1) of BNS, in Crime No.458 of 2025, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that he is the husband of the deceased in this case and that the deceased was his first wife. It is alleged that a quarrel took place between them, after which the petitioner went out and later returned after consuming liquor. It is further alleged that the petitioner assaulted the deceased by hitting her on the head, thereby causing severe injuries, as a result of which the deceased succumbed to the injuries. Hence, a case has been registered and the petitioner was arrested.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence and due to family dispute, he has been falsely implicated in this case and that the petitioner is in judicial custody since 07.12.2025. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation has been completed and the final report filed. and that the same was taken on file through e-filing on 27.01.2026. Hence, he opposed to grant bail to the petitioner.

4. Heard both sides and perused the materials available on record.

5. Considering the submissions made by the learned counsel on either side, the manner in which the occurrence took place, the fact that the petitioner has no previous case, that the investigation has been completed and the final report filed and also considering the period of incarceration, this Court is inclined to grant bail with certain conditions.



6. 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 No.II, Attur, Salem District**, 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 stay at Vellore and report before the Vellore South Police Station, 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 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.

05.02.2026

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 No.II,
Attur.

2.The Inspector of Police,
Thalaivasal Police Station,
Salem District.

3.The Superintendent,
Central Prison, Salem.s

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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