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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.4221 of 2026

Muthusamy

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Mecheri Police Station,
Salem District.
(Crime No.27 of 2026)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.27 of 2026 on the file of the respondent police.

For Petitioner : Mr.T.Ganesan

For Respondent : Dr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.01.2026 for the alleged offences punishable under Sections 296(b), 110 of BNS @ 296(b) and 105 of BNS, in Crime No.27 of 2026, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that, due to wordy quarrel that arose under the influence of consuming alcohol, the petitioner pushed the defacto complainant to the ground, thereby causing grievous injuries to his vital parts. Subsequently, the defacto complainant was admitted to the hospital and after two days, he succumbed to the injuries sustained by him. Hence, a case has been registered and the petitioner was arrested.

3. The learned counsel appearing for the petitioner submitted that the petitioner is in judicial custody for more than 30 days and that he has not have any previous case pending against him. He further submitted that the occurrence took place due to sudden provocation and was not premeditated in nature. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has no previous case and that the investigation is still pending. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the nature of the allegations, the manner in which the occurrence took place, the period of incarceration of the petitioner from 19.01.2026, and that the petitioner has no previous case, this Court is inclined to grant bail to the petitioner, subject to 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 No.II, Mettur**, 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 Erode and report before the Erode Town Police Station, 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 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.

20.02.2026

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,
Mettur.
- 2.The Inspector of Police,
Mecheri Police Station,
Salem 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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