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CRL OP No. 4800 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 4800 of 2026

Palanisamy @ Vinayaga Palanisamy

..Petitioner(s)

Vs

The State Represented by, The Inspector of Police,
Mangalam Police Station,
Tiruppur District.
Cr.No.406 of 2025.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in crime No.406 of 2025 on the file of the Mangalam Police Station, Tiruppur District.

For Petitioner(s) : Mr.S.Parthiban
For Respondent(s) : Mr.S.Vinoth Kumar, GA
For Intervenor : Mr.Henri Tiphage

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.09.2025 for the alleged offence under Section 103(1) of BNS Act, 2023 in Crime No.406 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is the Chairman of Samalapuram Town Panchayat. It is alleged that due to prior enmity between the deceased and the petitioner, the petitioner had driven his four wheeler in a rash and negligent manner and had hit the father of the de facto complainant.



Due to which the deceased was succumbed to death. Hence, the present case.

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3. The learned counsel for the petitioner would submit that a false case has been foisted against the petitioner and he has not committed any offence as alleged by the prosecution and he is in judicial custody from 11.09.2025. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the investigation has been completed and the charge sheet has been filed and taken on file on in S.C.No.70 of 2026 before the learned II Additional Sessions Judge, Tiruppur. However, he opposed to grant bail to the petitioner.

5. The learned counsel for the intervenor while opposing grant of bail to the petitioner would submit that if the petitioner is enlarged on bail, the de facto complainant's life would be under threat.

6. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

7. From the submissions made by the learned Government Advocate



(Crl.Side), this is a case of motor accident in disguise of a murder. The said contention has some force in view of the manner in which the accident took place. However, as per the First Information Report, since the deceased has objected to the laying of a road in a private land, the petitioner, who is the Chairman of the Panchayat has committed murder by way of road accident. No doubt, the gravity of the offence is serious in nature. However, the petitioner has got some medical condition. Further he has been in incarceration from 11.09.2025. Apart from that, the investigation has been completed and charge sheet has also been filed. In such view of the position and taking into consideration of the long incarceration of the petitioner and the present position of the case, this Court is inclined to enlarge the petitioner on bail, subject to certain stringent conditions:-

8. 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 -IV, Tiruppur** and subject to the following conditions:

[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 petitioner shall stay at Madurai and report



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before D1, Tallakulam Police Station, Madurai daily at 10.30 a.m., and 5.30 p.m. until further orders;

[c] It is made clear that except for the purpose of appearing for the above Sessions Case in S.C.No.70 of 2026 before the Court, the petitioner shall not enter into Tiruppur District until further orders;

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

[e] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[f] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[g] if the petitioners thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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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 – IV, Tiruppur.

2. The Inspector of Police,
Mangalam Police Station,
Tiruppur District.
Cr.No.406/2025.

3. The Superintendent,
Coimbatore, Sub Jail.

4. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN,J.

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