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CRL OP No. 4850 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 4850 of 2026

1. Nakul Mandal
2. Avdesh Kumar Mandal

..Petitioners

Vs

State Rep. by the Inspector of Police
Chettipalayam Police Station,
Coimbatore District.
Crime No. 429 of 2025

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on Respondent police.

For Petitioners: Mr.S.Azhaguvel

For Respondent: Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioners/A2 & A4, who were arrested and remanded to judicial custody on 15.12.2025 for the alleged offences under Sections 296(b), 115(2), & 103(2) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.429 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the deceased is the brother of the defacto complainant. The deceased and the accused persons were residing in the same house prior to the date of occurrence. On 14.12.2025 the accused persons



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were sitting together and at that time, a quarrel arose among them. During the altercation, some of the accused caught hold of one of the accused and pushed him, causing him to fall on the plate of food. As a result, the deceased scolded them using abusive and obscene language and a quarrel arose among them. Suddenly A1 attacked the defacto complainant's brother with a knife. He sustained grievous injuries and was admitted to the hospital where he died despite receiving medical treatment. Hence the case.

3. The learned counsel appearing for the petitioners submitted that the co-accused in this case has already been enlarged on bail. It is further submitted that the petitioners are innocent and they have been falsely implicated in this case and they never indulged in any such activities as alleged. They are ready to abide by any condition and they are in judicial custody since 15.12.2025. Hence, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that all the accused and the deceased were working as daily wages in a private company and living in the same room and sharing the expenses for food and shelter. All the accused and the deceased had prior enmity regarding cooking food. On the date of occurrence they consumed alcohol and quarrel arose between them. In that process, A1 strangled the deceased and attacked the deceased with a knife on his neck due to which the



deceased died. Hence, he opposed to grant bail to the petitioners.

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5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. From the submission of the learned Government Advocate(Crl.Side) it appears that the deceased as well as the accused had consumed alcohol and during that time a wordy quarrel arose, and in pursuance thereto the accused stabbed the deceased. While looking into the specific overt act, the first petitioner stabbed the deceased and the second petitioner exhorted the first petitioner. They have been in incarceration since 15.12.2025. From the submissions of either side, this Court could not find any pre-meditation. Further, investigation might have been completed by this time.

7. In such view of the position and also taking into consideration that the period of incarceration is nearly 80 days, this Court is inclined to grant bail to the petitioners, subject to certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned **District Munsif Cum Judicial Magistrate, Madhukarai**, 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 petitioners shall report before the respondent police twice a day at 10.30 a.m. and 05.30 p.m. until further orders;

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

[d] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners 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]***;



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

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[g] It is made clear that no petition seeking relaxation of the above conditions shall be entertained within a period of forty five (45) days from the date of release of the petitioner.

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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 District Munsif Cum Judicial Magistrate Court, Madhukarai.
2. Central Prison, Coimbatore.
3. The Inspector of Police, Chettipalayam Police Station, Coimbatore District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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