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CRL OP No. 5710 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5710 of 2026

1. Chellammal S/o.Govindarajan,
Residing at
3/141, West Street,
Periyavalavadi,
Thirupur District.
2. Govindarajan S/o.Sengodan,
Residing at
3/141, West Street,
Periyavalavadi,
Thirupur District.

..Petitioner(s)

Vs

State rep.by,

The Inspector of Police,
Dalli Police Station,
Tirupur District.
Cr.No.14 of 2026.

..Respondent(s)

PRAYER: This Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioners on bail pending investigation in Cr.No.14 of 2026 on the file of respondent.

For Petitioner(s): M/s.T.Muruganantham

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side).



ORDER

The petitioners, who were arrested and remanded to judicial custody on 24.01.2026 for the alleged offence under Section 296(b), 329(3), 115(2), 118(1) and 109 of B.N.S in Crime No.14 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the 1st accused developed illegal intimacy with the victim's wife and when the same was challenged by the victim, wordy quarrel arose between the victim and the accused and the 1st accused along with petitioners and other accused, had attacked the victim with ripper stick and caused injury to him. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that these petitioners are the parents of the 1st accused and there is no specific overt act attributed as against these petitioners except that they stood along with their son, who is the 1st accused in this case. He would further submit that these petitioners are innocent persons and considering the age of the petitioners, prays to enlarge them on bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that due to the severe injury caused to the victim by the accused, he was hospitalised for more than 10 days and therefore, if the



accused are enlarged on bail, it would have negative impact in the village and hence strongly opposed to enlarge the petitioners on bail.

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5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Since there is no specific overt act as against these petitioners, considering the age of these petitioners and the 1st petitioner being a woman, this Court is inclined to grant bail to the petitioners, subject to certain conditions:

7. Accordingly, the petitioners are ordered to be released on bail on each of them executing a bond for a sum of Rs.25,000/- each (Rupees Twenty Five Thousand only) with two sureties each, for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Udumalaipettai** and on further conditions that:

[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 daily at 10.30 a.m. and 5.30 p.m. for a period of 4 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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]:

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

05-03-2026

MJS

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.



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C.KUMARAPPAN, J.

MJS

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