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CRL OP No. 6075 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6075 of 2026

Kathiravan
S/o.Meenakshisundaram,
D.No.98, Athipalayam panchayath street,
Ward No.1, Coimbatore - 641 110.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police,
Rathinapuri police station,
Coimbatore.
(Crime No.472 of 2025)

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioners on bail in Crime No.472/2025 pending investigation on the file of the respondent.

For Petitioner(s): Mr. M.Muthu Yazhini

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.01.2026 for the alleged offences under Sections 118(1), 351(3) and 303(2) of B.N.S. in Crime No.472 of 2025 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that the defacto complainant and the petitioner herein are the husband and wife. The petitioner harassed his wife demanding a new car and when she refused to give money for the same, on 28.11.2025, at about 1 pm., the petitioner attacked the defacto complainant with a hammer and caused blood injury to her and further he broke open the bureau and had taken away Rs.20,000/- cash and the jewels of the defacto complainant and he also threatened her with dire consequences. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and due to the matrimonial dispute between the petitioner and the defacto complainant, he has been falsely implicated in the present case. He would further submit that the jewels of the defacto complainant were pledged with a finance company and the petitioner has not committed any offence as alleged by the prosecution. The petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and objected to grant bail to the petitioner. He further submits that there was matrimonial quarrel between the husband and wife and there are 2 previous cases pending. However, he fairly submits that the injured has been discharged from the hospital.



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

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6. From the submissions made by the learned Government Advocate (Criminal side), the entire case revolves around matrimonial discord between the defacto complainant and the petitioner herein. It is the further submission of the learned Government Advocate that the accused attacked the defacto complainant with hammer and caused severe injury, which resulted in admission of the defacto complainant in the hospital and she was discharged from the hospital after a period of 3 days.

7. While looking at the factual position, it is seen that the petitioner has been under incarceration from 25.01.2026. Since the injured has already been discharged from the hospital and taking into consideration the period of incarceration since 25.01.2026, this Court is of the view that the question of further custodial interrogation of the petitioner would not arise, since by this time, investigation might have been completed. In such view of the position, this Court is inclined to grant bail to the petitioner, subject to the following 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 No.II, Coimbatore** 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 petitioner shall Stay at Erode and sign before the Thindal police Station daily twice at 10.30 a.m. and 5.30 pm. until further orders;**

[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.

MJS

10-03-2026



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, Coimbatore.
2. The Inspector of Police, Rathinapuri police station, Coimbatore.
3. The Superintendent of Police, Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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