



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6325 of 2026

Duraipandian

..Petitioner

Vs

The State rep. By,
The Inspector of Police
Yethapur Police Station,
Salem District.
Crime No.32 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.32 of 2026 pending on the file of the Respondent Police.

For Petitioner:

Mr.M.Sundara Vadanam

For Respondent:

Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.02.2026 for the alleged offences under Section 109(1) of the Bharatiya Nyaya Sanhita, 2023 / Section 307 of Indian Penal Code, 1860, in Crime No.32 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 23.01.2026 the defacto complainant, who is working as a Head Constable, was sleeping in his house along with his wife. At that time, the petitioner along with other accused allegedly entered into the house, caught hold of the defacto complainant and attempted to kill him by pressing a pillow on his face. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the defacto complainant had a quarrel with his wife and upon her request, the petitioner only went to pacify the dispute. He would further submit that taking advantage of the defacto complainant's position as a police officer, the petitioner has been falsely implicated in this case. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the co-accused has already been enlarged on bail on 11.03.2026 in Crl.O.P.No.6243 of 2026. He would further submit that the defacto complainant has not sustained any injury.

5. The learned counsel appearing for the intervener strongly opposed the bail application on the ground that if the petitioner is enlarged on bail, there is every possibility that they may again attempt to murder the defacto complainant.



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

7. From the submission of the learned counsel on either side, this Court is of the view that the defacto complainant has not sustained any injury and taking into consideration the long incarceration of the petitioner since 06.02.2026 and upon the fact that the co-accused has already been released on bail in CrI.O.P.No.6243 of 2026 dated 11.03.2026, this Court is inclined to extend the benefit of parity to the petitioner and hereby he is also enlarged on bail, subject to certain 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 for a like sum each to the satisfaction of the **learned Judicial Magistrate No. I, Attur, Salem District** 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 Salem and report before the learned Judicial Magistrate No. I, Attur, Salem District, daily at 10.30 a.m. for a period of two weeks and thereafter to appear before the respondent police 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 take appropriate action against the petitioners 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]*;

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

12-03-2026

NSL

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

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1. The Judicial Magistrate-I, Attur, Salem District.
2. Central Prison, Salem District.
3. The Inspector of Police, Yethapur Police Station, Salem District.
4. The Public Prosecutor, High Court of Madras.



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CRL OP No. 6325 of 2



C.KUMARAPPAN, J.

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CRL OP No. 6325 of 2026

12-03-2026