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CRL OP No. 8593 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8593 of 2026

M.Karthikeyan

..Petitioner

Vs

The State Rep By its
The Inspector of Police,
Pallipalayam
Namakkal District - 638 011

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail for the petitioner in Cr.No.313 of 2025 pending for investigation on the file of Pallipalayam Police Station, Namakkal.

For Petitioner:

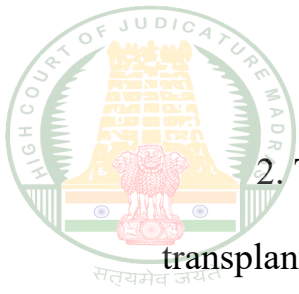
Mr.V.Sugumaran

For Respondent:

Mr.S.Vinoth Kumar,
Govt.Advocate (Crl Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.12.2025 for the alleged offence under Sections 109, 111, 303(2), 318(4), 336, 340(2), 143, 49 of Bharathiya Nyaya Sanhita 2023 in Crime No.313 of 2025 on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that in order to do illegal kidney transplantation, this petitioner has fabricated some document. Hence, this case.

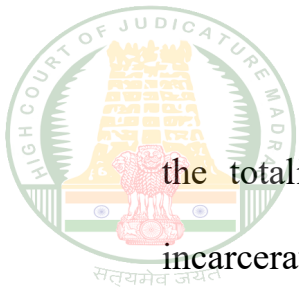
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3. The learned counsel for the petitioner submitted that the petitioner has been incarcerated since 17.12.2025. He further submitted that investigation has been completed and charge sheet has been filed which was taken cognizance in PRC.No.7 of 2026. He further submitted that except this petitioner, all other petitioners have been enlarged on bail and he also enclosed some of the orders along with this application. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and he fairly admitted that except this petitioner, all other co-accused have been released on bail and submitted that investigation has been completed and charge sheet has been taken cognizance in PRC 7 of 2026. However, he opposed to grant anticipatory bail to the petitioner.

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

6. Considering the facts and circumstances of the case and considering



the totality of the circumstances and upon the fact that the petitioner is incarcerated since 17.12.2025 and the co-accused have already been enlarged on bail, this Court is inclined to enlarge the petitioner on bail subject to certain conditions.

7. 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 Court, Kumarapalayam** 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 report before the learned 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 pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed



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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.

15-04-2026

SHL

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 Court,
Kumarapalayam
2. The Inspector of Police,
Pallipalayam
Namakkal District - 638 011
3. The Central Prison, Salem
4. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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