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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP Nos.7182 and 7184 of 2026

Gokul

..Petitioner(s) in
Crl.O.P.No.7182 of 2026

Vijaya

..Petitioner(s) in
Crl.O.P.No.7184 of 2026

Vs

The State Rep. by
The Inspector of Police,
Dharmapuri Police Station,
Dharmapuri District.
Crime.No.85 of 2026

..Respondent(s)

Common Prayer: Criminal Original Petitions filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to enlarge the petitioners / A1 and A2 on bail, in Crime No.85 of 2026 pending on the file of the respondent Police.

In both cases:

For Petitioner(s): Mr.R.Suresh Kumar

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

COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on 13.02.2026 for the alleged offences under Sections 296(b) and 109 of the Bharatiya Nyaya Sanhita, 2023 and altered under Sections 296(b) and 103 of



BNS, 2032 in Crime No.85 of 2026 on the file of the respondent police seek bail.

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2. The case of the prosecution is that accused No.1 and the victim are husband and wife. A2 is the mother-in-law of the victim. On 10.02.2026, A1 / petitioner in Crl.O.P.No.7182 of 2026 in an inebriated condition, abused the victim in filthy language and A2 / Crl.O.P.No.7184 of 2026 poured kerosene on her. Due to which, the victim was admitted in the Hospital and despite taking treatment, she was succumbed to death. Hence, the complaint.

3.The learned counsel for the petitioners submits that the petitioners are no way connected to this case and have been falsely implicated in this case and that they have not committed any offences as alleged by the prosecution. Hence, he prays to grant bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police submits that initially this case was registered under Section 296(b) and 109 of BNS, 2023, subsequently, on the basis of the dying declaration of the victim, the case was altered under Sections 296(b) and 103 of BNS, 2023. The learned counsel for the petitioners has also submitted a copy of the dying declaration wherein the victim has stated that it was the petitioners who had set fire on the victim. He further submits that the investigation is still



pending. He further submits that if the petitioners are enlarged on bail, they may abscond and tamper with the witnesses. Hence, he vehemently opposed to grant bail to the petitioners.

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

6. From the submissions made by the learned Government Advocate (Crl.Side), it is seen that it was the petitioners who had set fire on the victim girl and that the investigation is still pending. In such view of the position, though the petitioners have been under incarceration from 13.02.2026, taking into consideration the fact that the investigation is still pending, this Court is not inclined to enlarge the petitioners on bail at this juncture.

7. Accordingly, these criminal original petitions stand dismissed.

23.03.2026

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CRL OP Nos.7182 and 7184 of 2



C.KUMARAPPAN, J.

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To

1. The Inspector of Police,
Dharmapuri Police Station,
Dharmapuri District.

2. The Public Prosecutor,
High Court, Madras.

3. The Judicial Magistrate No.I, Dharmapuri.

4. The Superintendent,
Central Prison, Salem.

5. The Superintendent,
District Prison, Salem.

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