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CRL OP No. 7535 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7535 of 2026

Elumalai S/o. Kuppusamy,
D.No.210, Pillaiyar Kovil Street,
MGR Nagar, Melathikkan Post,
Tiruvannamalai Taluk,
Tiruvannamalai District.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
Kaanathur Police Station,
Chengalpattu District.
(Crime No.44 of 2026)

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in Crime No.44 of 2026 pending on the file of the respondent police.

For Petitioner(s): M/S. R.Thirumoorthy

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.03.2026 for the alleged offences under Sections 296(b), 109(1) and 351(3) of B.N.S. in Cr. No.238 of 2019 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that the petitioner and the daughter of the defacto complainant are husband and wife. There was a matrimonial dispute between them and hence the petitioner's wife was living in her parents home. While so, on 27.02.2026 at 8.30 a.m., the accused went to the defacto complainant's house, quarrelled with his wife, threatened her not to go to work and suddenly took a weapon, which is used for masonry work, attacked her indiscriminately on her face and back of her shoulder, due to which, she sustained grievous injury and hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that due to the family dispute, false complaint has been lodged against him, the petitioner is under incarceration since 02.03.2026 and he is ready and willing to abide by any condition that may be imposed by this Court and hence prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and strongly opposed to enlarge the petitioner on bail on the ground that severe injury has been sustained by the victim.



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, it is clear that the injury sustained by the daughter of the defacto complainant is serious in nature. Therefore, considering the severity of injury sustained by the victim, relationship between the petitioner and the victim and as rightly contended by the learned Government Advocate that if the petitioner is enlarged on bail, it would not only jeopardise the prosecution case, but also the life of the victim. Hence, this Court is of the firm view that the petitioner is not entitled for bail at this stage.

7. Accordingly, this Criminal Original Petition is **dismissed**.

25-03-2026

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

To

1. The Public Prosecutor, High Court, Madras.
2. The Inspector of Police, Kaanathur Police Station, Chengalpattu District.

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