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CRL OP No. 8953 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8953 of 2026

K.Rajkumar S/o.Kuppusamy,
5/274, Ramasamypuram,
Mettupalayam Village, Vellakoil Via,
Kangeyam Taluk, Tiruppur District.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
Vellakoil Police Station,
Tiruppur District.
(Crime No.467/2025)

..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 S.C.No.57 of 2026 on the file of the III Additional District and Session Court, Dharapuram.

For Petitioner(s):

M.Baskar

For Respondent(s):

Mr. S. Vinoth Kumar,

Government Advocate (Criminal side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.10.2025 for the alleged offences under Sections 296(b), 109(2), 103(1) and 324(4) of B.N.S. in Crime No.467 of 2025 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that while the petitioner and the deceased were doing real estate business, there was dispute between them with regard to partition of properties. While so, on 25.10.2025 at about 7.15 p.m., when the defacto complainant and the victim were travelling in their two wheeler, the petitioner who drove his car in a rash and negligent manner, hit the two wheeler and caused death to the victim. Apart from that, it is also alleged that the petitioner abused the defacto complainant and the victim and also assaulted them using iron rod and caused injuries to them. The victim died in the hospital. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner has been under judicial custody on 27.10.2025 and the petitioner is the sole accused. It is his further submission that by this time, investigation has been completed and the case has also been taken on the file of the III Additional District and Sessions Court, Dharapuram in S.C. No.57 of 2026 and hence prays for grant of bail to the petitioner.

4. The above said fact was not seriously disputed by the learned Government Advocate (Criminal side) appearing for the respondent police. However, he objected the bail application on the ground that the petitioner has 10 previous cases.



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

6. No doubt, the petitioner has 10 previous cases, but those cases are arising out of Prohibition Act and some of them were already disposed of. In this case, the petitioner has been under incarceration since 27.10.2025. Therefore, taking into consideration of completion of investigation and numbering of case in S.C. No.57 of 2026 and considering the long incarceration of the petitioner from 27.10.2025, this Court is of the firm view that further incarceration of the petitioner is not required in respect of any investigation. In such view of the position, this Court is inclined to enlarge the petitioner on bail, subject to the following stringent 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 III Additional District and Sessions Judge, Dharapuram** 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 sign before the Court concerned daily at 10.30 a.m. for a period of 2 weeks and thereafter to appear before the Court on every hearing date

[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.

09-04-2026

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.



To

1. The III Additional District and Sessions Judge, Dharapuram.
2. The Inspector of Police, Vellakoil Police Station, Tiruppur District.
3. The Superintendent of Police, Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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