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CRL OP No. 10063 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 10063 of 2026

Surya S/o. Karuppusamy,
447, Devendindira Street,
Selvapuram, Coimbatore North,
Coimbatore -641026

..Petitioner(s)

Vs

State represented by:

The Inspector of Police
Selvapuram Police Station,
Coimbatore District.
[Crime No.48 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 the crime No.48 of 2026 on the file of respondent police.

For Petitioner(s):

M/S. S.Selvakumar

For Respondent(s):

Mr. S. Vinoth Kumar,
Government Advocate (Criminal side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.02.2026 for the alleged offences under Sections 296(b), 115(2) and 351(3) of B.N.S. read with Section 75 of Juvenile Justice Act in Crime No.48 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is A1 and the defacto complainant are the husband and wife and they have two female children. When the defacto complainant came to know about the illegal affair of his wife/A1 with A2, A1 went to her parents' home along with her children and she has continued her relationship with A1. While being so, the accused A1 and A2, have tortured the minor victim and A1 caused severe injuries to the victim using cooking utensils and A2 also caused injuries to the victim using cigarette and threatened her with dire consequences. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the defacto complainant is the father of the minor victim girl and according to the prosecution, the wife of the defacto complainant, who is A1, has relationship with this petitioner / A2 and in order to maintain the said friendship with this petitioner, A1 has caused injury to the minor victim girl. The learned counsel further would submit that the petitioner has been under incarceration since 16.02.2026 and hence prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police has reiterated the prosecution case and though objected to enlarge the petitioner on bail, he would fairly submit that there is no previous case against the petitioner and investigation was completed and charge sheet has also been filed.



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

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6. Taking into consideration of the totality of circumstances, considering the long incarceration of the petitioner since 16.02.2026 and upon the further fact that the investigation was completed, 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 Judicial Magistrate-V, Coimbatore** 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 respondent police daily at 10.30 a.m. and 5.30 p.m. for a period of 30 days and thereafter 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;

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[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.

21-04-2026

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 Judicial Magistrate No.V, Coimbatore.
2. The Inspector of Police, Selvapuram Police Station, Coimbatore 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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