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CRL OP No. 9591 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9591 of 2026

1. Suriya Prakash
2. Saravana Kumar

..Petitioners

Vs

State represented by
The Inspector of Police
Eriyur Police Station,
Dharmapuri District.
(Crime No.64/2026)

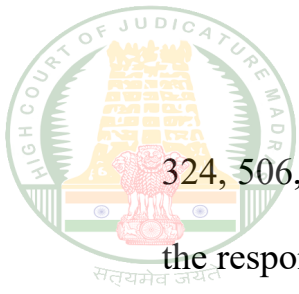
..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime No.64 of 2026 on the file of the respondent police, pending investigation.

For Petitioner:	Mr.R.John Sathyan Senior Counsel for Mr.Swami Subramanian
For Respondent:	Mr.S.Vinoth Kumar, Govt Advocate (Crl.Side)
For Intervenor:	Mr.Mahamani

ORDER

The petitioners, who were arrested and remanded to judicial custody on 27.03.2026 for the alleged offence under Section 191(2), 191(3), 296(b), 115(2), 118(1), 351(3), 109(1) of BNS corresponding IPC Sections 147, 148, 294, 323,



324, 506, 307 of Indian Penal Code, 1860 in Crime No.64 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that due to previous enmity arising out of water business run by A1, the defacto complainant formed a group and protested against the same. On 24.03.2026 at about 04.30 PM, while the defacto complainant was in a bakery, the accused persons abused him in filthy language and attacked him using hands, iron rod, soda bottles and chairs, causing injuries. There is also a counter case registered at the instance of A2 against the defacto complainant. Hence, the case was registered.

3. The learned Senior Counsel appearing for the petitioners submitted that the defacto complainant proclaims himself as a whistle blower and under that pretext entered the residence of A1 and misbehaved with A1's wife, which resulted in the occurrence. It is further submitted that there was already a counter case registered against the defacto complainant. The learned Senior Counsel would further submit that even according to the prosecution, the weapons used are only soda bottles and iron rod and the occurrence is not as serious as projected. It is also submitted that the petitioners have been in incarceration since 27.03.2026. Hence, he prayed for grant of bail to the petitioners.



3. The learned counsel appearing for the intervenor submitted that if the petitioners are enlarged on bail, there will be threat to the life of the defacto complainant and that the defacto complainant sustained injuries on the head. Hence, he opposed to grant bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the occurrence took place on 24.03.2026 and the petitioner was arrested on 27.03.2026. It is further submitted that the injured has been discharged from the hospital on 03.04.2026. It is also submitted that one of the accused namely Suriya Prakash is a rowdy element having two previous cases. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the submissions of the learned counsel on either side and taking into account the long incarceration of the second petitioner since 27.03.2026, the fact that the injured person was discharged from the hospital on 03.04.2026 and that a major portion of the investigation has likely been completed, this Court is inclined to grant bail to the second petitioner subject to certain conditions. However, considering that the first petitioner/Suriya Prakash has two previous cases, this Court is not inclined to grant bail to the first



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7. Accordingly, **the second petitioner is alone** 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 for a like sum each to the satisfaction of the learned **Judicial Magistrate, Pennagaram**, and subject to the following conditions:

[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 second petitioner is directed to stay at Coimbatore District and report before the Inspector of Police, E1-Singanallur Police Station, Coimbatore daily at 10.30 a.m. for a period of three weeks and thereafter as and when required for interrogation before the respondent police;

[c] the second petitioner shall not abscond either during investigation or trial;

[d] the second 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 take appropriate action against the second petitioner in accordance with law as if the conditions had been imposed and the second



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petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[f] if the second petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

8. In the result, this Criminal Original Petition is allowed insofar as the second Petitioner is concerned and dismissed insofar as the first Petitioner is concerned.

20-04-2026

NSL

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, Pennagaram
2. The District Prison, Dharmapuri
3. The Inspector of Police, Eriyur Police Station, Dharmapuri District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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