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CRL O.P. No.10418 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.05.2026

CORAM

The Hon'ble Mr.Justice P.DHANABAL

Crl. O.P. No.10418 of 2026

Gowsickkumar

... Petitioner/A2

VS

The State by
The Inspector of Police
Sankari Police Station
Salem District
(Crime No.98 of 2026)

... Respondent

PRAYER: - Criminal Original Petition filed under Section 483 of BNS Act praying to grant bail to the petitioner pending investigation in Crime No.98 of 2026 on the file of the respondent Police.

For Petitioner : Mr.M.Karthik

For Respondent : Mr. S. Vinothraja
Government Advocate (Criminal side)

ORDER

The petitioner/A2, who was arrested and remanded to judicial custody on 07.03.2026 for the offences punishable under Sections 118(1), 127(2), 140(3), 3(5) and 308(5) of BNS in Cr. No.98 of 2026 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner along with other accused, approached the de-facto complainant offering job opportunities and when the defacto complainant responded the accused persons, they forcibly confined the defacto complainant and their relatives. They took their mobile phones, cash of Rs.800/- and ATM cards and on threat, the defacto complainant also transferred an amount of Rs.1,00,000/- to the accused persons and the defacto complainant and his relatives were left in the road near excel college. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the de-facto complainant and has been falsely implicated in this case. The earlier bail applications filed by the petitioner before this Court were dismissed. He is in judicial custody from 07.03.2026. Hence, he prayed to grant bail.

4. The learned Government Advocate (Criminal Side) would submit that petitioner has cheated the defacto complainant and his family members and stole cash and a mobile phone from the petitioner. Based

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on the complaint given by the defacto complainant, the case was registered against the petitioner. It is further submitted that the amount involved in this case has been fully recovered from the petitioner and there are no previous cases pending against the petitioner. However, he strongly opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering the fact that the amount involved in this case has already been recovered and also considering the incarceration period of this petitioner from 07.03.2026 and there are no previous cases, I am inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate II, Sankari, Salem District** and on further conditions that:



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[b] the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned



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Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

13.05.2026

Index: Yes/No

Internet: Yes/No

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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 II, Sankari, Salem District
2. The Public Prosecutor, High Court, Madras.
3. The Inspector of Police, Sankari Police Station, Salem District.
4. The Central Prison, Salem.



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P.DHANABAL,J

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