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Crl.O.P.No.11736 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.05.2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

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1. Nithish Kumar
S/o.Balasubramani, Residing at 105-A-2,
Sundeliperumal Kovil Street, Elampillai
Sankari Taluk, Salem District - 637 502

2. Seenivasan
S/o.Mahalingam, Residing at 105-A-2,
Sundeliperumal Kovil Street, Elampillai
Sankari Taluk, Salem District - 637 502

3. Balaji
S/o.Govintharaj, Residing at 105-A-2,
Sundeliperumal Kovil Street, Elampillai
Sankari Taluk, Salem District - 637 502

4. Dinesh
S/o.Elumalai, Residing at 105-A-2,
Sundeliperumal Kovil Street, Elampillai
Sankari Taluk, Salem District - 637 502

5. Kamal
S/o.Seenivasan, Residing at 105-A-2,
Sundeliperumal Kovil Street, Elampillai
Sankari Taluk, Salem District - 637 502

6. Saravanan
S/o.Perumal, Residing at 105-A-2,
Sundeliperumal Kovil Street, Elampillai
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Sankari Taluk, Salem District - 637 502

... Petitioners

Vs.

State, Represented
by The Inspector of Police,
Magudanchavadi Police Station,
Salem District
(Cr.No.84/2026)

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime No.84
of 2026 pending investigation on the file of the respondent police.

For Petitioner : Mr.A. Saravanan
For Respondent : Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)

ORDER

The petitioners who were arrested and remanded to judicial custody on
05.04.2026, for the offence punishable under Sections
191(2),191(3),296(b),118(1),329(4) and 351(3) of BNS, 2023 and section 3(1) of
TNPPDL Act in connection with Crime No.84 of 2026, registered on the file of
the respondent, seek bail.

2. The case of the prosecution is that there was a civil dispute pending
between the parties, due to which the petitioners abused the defacto complainant



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and his wife and caused injuries to them. Hence, the case.

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3.The learned counsel for the petitioners would submit that the petitioners are no way connected with the above case and they have been falsely implicated in this case. The petitioners are in judicial custody from **05.04.2026** and hence, further custody of the petitioners are not required. He further submitted that each of the petitioners, without prejudice to his rights, is ready to deposit a sum of **Rs.5,000/- each totally Rs.30,000/-** to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case and submitted that the injured got discharged and there is no previous case pending against the petitioners.

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

6.Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners



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with certain conditions.

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7. Accordingly, the petitioners are ordered to be released on bail on their executing separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Sankari** , 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 petitioners shall jointly deposit a sum of **Rs.30,000/-(Rupees Thirty Thousand only) (Non refundable)** each towards the account of **CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA), Dr.S.Krishnamurthi Campus, Sardar Patel Road, Chennai-36, bearing SB Account No.149710011005477, IFS Code No.ANDB0001497, Branch Name and Code 1497, MICR No.600011049** and to produce the Bank Challan before the learned **Judicial Magistrate No.II, Sankari** and the receipt shall be produced at the time of executing the bond;

[c] the petitioners shall report before the respondent Police daily at 10.30 a.m., for a period of three weeks; thereafter as and when required for interrogation;



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[d] the petitioners shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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]**;

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

07.05.2026

smn/vv

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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To

1.The Judicial Magistrate No.II, Sankari

2.The Inspector of Police,
Magudanchavadi Police Station,
Salem District

3.The Superintendent,
Central Prison, Salem

4.The Public Prosecutor,
High Court of Madras.



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L.VICTORIA GOWRI, J.

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