



WEB COPY

CRL OP No. 12559 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12559 of 2026

Gokul

..Petitioner(s)

Vs

State rep by the Inspector of Police,
Dharmapuri Police Station,
Dharmapuri District
Cr.No.85 of 2026

..Respondent(s)

Prayer: The Criminal Original Petition is filed under Section 483 of B.N.S.S., to enlarge the petitioner on bail in Cr.No.85 of 2026 on the file of the respondent police.

For Petitioner(s): Mr.Krishnasamy Chinnasamy

For Respondent(s): Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.02.2026 for the offences punishable under Sections 296(b) and 103 of BNS Act, 2023 in Cr.No.85 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner and the deceased were husband and wife. On 10.02.2026, the petitioner, in an inebriated condition, abused the deceased in filthy language and that A2, the mother-in-law of the deceased, poured kerosene on her, as a result of which the deceased sustained severe burn injuries. The deceased was admitted to the hospital for treatment; however, despite medical intervention, she succumbed to her injuries. Hence, the case.

3. The learned counsel for the petitioner would contend that the petitioner is under judicial custody since 13.02.2026. He further submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that there is no specific overt act against the petitioner. Therefore he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) reiterated the prosecution case and submitted that there is no previous case as against the petitioner. However, he vehemently opposed for grant of bail to the petitioner.

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



6. Considering the rival submissions made on both sides, the nature of offence and that there is no previous case against the petitioner and further even according to the prosecution case, the allegation is only against A2 and no specific overt act has been attributed against the petitioner as well as the period of incarceration undergone by the petitioner, this Court is 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 No.1, Dharmapuri** and on further conditions that:

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which she is accused, or suspected, or of the commission of which she 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 her 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 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 269 B.N.S.2023.

14-05-2026

Anu

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



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P.DHANABAL, J.

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