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CRL OP No. 12962 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. 12962 of 2026

Somasundaram
C/o.Madhesh,
No.5, Subramaniya Siva Street,
Periyavalasu,
Veerappanchatiram (M),
Erode, Tamilnadu-636 004.

..Petitioner(s)

Vs

The State by, Inspector of Police,
Sankari Police Station,
Salem District.
Cr.No.98/2026.

..Respondent(s)

Criminal Original Petition is filed under Section 483 of BNSS Act to enlarge the petitioner on bail, pending investigation, in connection with the case in Crime No. 98/2026 on the file of the respondent and thus render justice.

For Petitioner(s):

Mr.Karthick

For Respondent(s):

Mr.R.Vinothraja, Government Advocate
(Crl.Side)

Order

The petitioner/Accused, 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 the BNS 2023 in Cr. No.98 of 2026 on the file of the respondent police, seeks bail.



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 thereafter, 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 application filed by the petitioner before this Court was dismissed. He is in judicial custody from 07.03.2026 and the co-accused was already granted bail. 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 on the complaint given by the defacto complainant, the case was registered against the accused persons. It is further submitted that the amount involved in this case has been



fully recovered from the accused and there are 12 previous cases of similar nature are pending against the petitioner. Hence, 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 the co-accused was already granted bail and though the petitioner has 12 previous cases, in all the cases, he was granted bail, 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 Court No.II, Sankari, Salem District and on further conditions that:

[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 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

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: 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 Inspector of Police,
Sankari Police Station,
Salem District.

2. The Judicial Magistrate Court No.II, Sankari,
Salem District.

3.The Superintendent of Prisons,
Central Prison, Salem.

4.The Public Prosecutor,
Madras High Court.



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P.DHANABAL J.

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