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CRL OP No. 13400 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13400 of 2026

Manohar
S/o. Periyasami,
Periyaeporam, Kamalapuram Post,
Omalur Taluk, Salem District.

.. Petitioner / A6

Vs

The State Represented by
The Inspector of Police
Omalur Police Station,
Salem District.
(Crime No.217/2026)

.. Respondent/
Complainant

PRAYER:- Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to enlarge the Petitioner on bail on Crime No.217 of 2026 on the file of Omalur Police Station, Salem, and thus render justice.

For Petitioner : Mr.T.Ganesan

For Respondent : Mr.L.Baskaran
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner on 19.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.



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2. The petitioner/A6, was arrested and remanded to judicial custody on 28.04.2026 for the alleged offences punishable under Sections 191(2), 191(3), 296(b), 127(2) and 109(1) of BNS, 2023, in Crime No.217 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that on 26.04.2026 at about 21.45 hours, while the defacto complainant and his friends were watching IPL match in their mobile phone in front of Mariyamman temple, due to previous enmity, the petitioner/A6 and other accused, who came in two wheelers, abused the defacto complainant and others in filthy language. At that time, the petitioner and A7 caught hold of the complainant, while A1 and A2 tried to assault them with large machetes, however they escaped. Hence, the case.

4. Mr.T.Ganesan, learned counsel for the petitioner, submits that the petitioner is innocent and has not committed any offence as alleged by the prosecution. He further submits that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. He, therefore, prays for the grant of bail to the petitioner.

5. *Per contra*, Mr.L.Baskaran, learned Government Advocate (Criminal Side) appearing for the respondent-police submits that there was



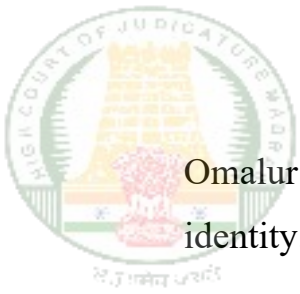
previous enmity between the two groups and on the date of occurrence, the petitioner / A6 and others came armed with pattakathi and threatened the defacto complainant's group. He also submits that three previous cases are pending against the petitioner. Hence, he opposes the grant of bail to the petitioner and accordingly, he prays to dismiss the petition.

6. Heard on both sides. This Court has perused all the materials available on record.

7. The petitioner was arrested on 28.04.2026. The petitioner has permanent residence and that though the petitioner has three previous cases, he was granted bail in those cases. Considering the same and taking note of the facts and cumulative circumstances of the case, the offences alleged against the petitioner and the age of the petitioner, this Court is of the view that one more opportunity may be given to the petitioner to reform himself. Hence, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate, Omalur.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate,



Omalur shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the respondent-police, daily at 10.30 a.m. and 05.30 p.m., until further orders.

(iv) The petitioner shall furnish his residential address and mobile numbers to the learned Judicial Magistrate, Omalur.

(v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023.

(vi) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(vii) 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(viii) The petitioner shall also not directly or indirectly, cause any threat to the defacto complainant, victims, and witnesses.

(ix) The petitioner shall not enter into the *de facto* complainant's house or his work place.

(x) The petitioner shall not try to contact the *de facto* complainant, victims, and witnesses either directly or through any electronic mode.

(xi) On breach of any of the aforementioned conditions, the Judicial Magistrate, Omalur, or Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].



8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

20-05-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MTL/NR

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, Omalur.
2. The Superintendent of Prisons,
Central Prison,
Salem.
3. The Inspector of Police,
Omalar Police Station,
Salem District.
4. The Public Prosecutor,
Madras High Court.



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R.SAKTHIVEL, J.

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