



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

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THE HON'BLE MR. JUSTICE C.KUMARAPPAN

CRL OP No. 14334 of 2026

Shyam

..Petitioner(s)

Vs

State Rep By,
Inspector of Police
Kalavai Police Station,
Ranipet District,
(Crime No.74 of 2026)

..Respondent(s)

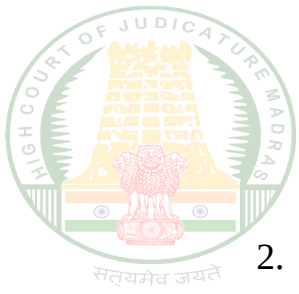
Criminal Original Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on bail in Crime No.74 of 2026 pending on the file of respondent

For Petitioner(s): Mr. S.Kalaikumar

For Respondent(s): Mr.S.Yogaraja Sekar
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.04.2026 for the alleged offence punishable under Sections 296(b), 191(2), 191(3), 103(1) and 109 of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.74 of 2026 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that due to previous enmity, a wordy quarrel erupted between the petitioner and the son of the defacto complainant, which escalated into the petitioner assaulting the defacto complainant. Pursuant to this, the petitioner was arrested and remanded in judicial custody. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and that he is not a named accused in the FIR. He further submits that the petitioner was implicated solely based upon a confession statement. It is also submitted that the co-accused have already been released on bail by this Court in Crl.OP.Nos.12073, 13067 and 13309 of 2026, vide orders dated 13.05.2026, 14.05.2026 and 01.06.2026 respectively, and therefore, the petitioner seeks bail on the ground of parity. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Counsel (Criminal Side) appearing for the respondent police strongly opposes the grant of bail to the petitioner. He submitted that the co-accused who were enlarged on bail have threatened the witnesses. He further contended that if the petitioner is enlarged on bail, there is a strong possibility that he would also tamper with the evidence and threaten the witnesses, leading to a possibility of recidivism. However, on instructions, he



submitted that there is no previous case against the petitioner.

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5. I have given my anxious consideration to the submissions made by the learned counsel on either side.

6. From the submissions made by either side, it is an admitted fact that the co-accused have been released on bail. The primary prayer made by the petitioner's counsel is on the ground of parity. In order to deny parity, there are no materials available on record. While this Court is inclined to enlarge the petitioner on bail, the concerns raised by the learned Government Counsel cannot be ignored. Therefore, in order to balance the interest of the prosecution and also to maintain parity, this Court is inclined to enlarge the petitioner on bail, subject to certain stringent conditions.

7. Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties each for a like sum to the satisfaction of the District Munsif-cum-Judicial Magistrate, Arcot, and subject to the following conditions:

[a] 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 Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;



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[b] the petitioner shall report before the Inspector of Police, Nesamony Nagar Police Station, Thollavilai – Vattakarai Road, Vattakarai, Vettumimadam, Nagercoil twice a day at 10.30 a.m. and 05.30 p.m., until further orders;

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

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

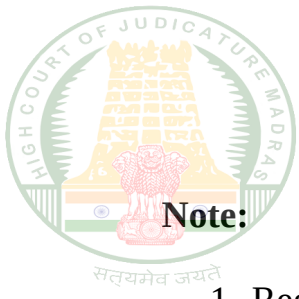
[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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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 District Munsif-cum-Judicial Magistrate, Arcot.
- 2.The Superintendent, Central Prison, Vellore.
- 3.The Inspector of Police, Kalavai Police Station, Ranipet District.
- 4.The Inspector of Police, Nesamony Nagar Police Station, Thollavailai – Vattakarai Road, Vattakarai, Vettumimadam, Nagercoil.
- 5.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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