



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

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THE HON'BLE MR. JUSTICE C.KUMARAPPAN

CRL OP No. 14548 of 2026

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..Petitioner(s)

Vs

The State represented by
The Inspector of Police
Attaiyampatti Police Station,
Salem District.
(Cr.No.65/2026)

..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.65 of 2026 on the file of the respondent police and thus render justice.

For Petitioner(s): Mr.Gokulvisvas C R

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 31.03.2026 for the alleged offence punishable under Sections 191(2), 296(b), 115(2), 351(2) and 103(2) of Bharatiya Nyaya Sanhita (BNS), 2023, (379, 354(B), 323, 506 and 302 of IPC) in Crime No.65 of 2026 on the file of the



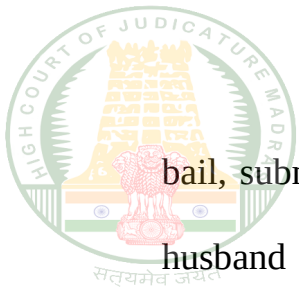
respondent police, seeks bail.

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2. The case of the prosecution is that the wife of the first accused (A1), namely Pooja, and the deceased Kalaiarasan were working in the same company and had developed a relationship. Upon learning about this, A1 along with his family members engaged in a wordy quarrel with the family of the defacto complainant, who is the wife of the deceased. When the defacto complainant and her family tried to pacify them, the petitioner along with the other accused persons attacked and abused the deceased Kalaiarasan in filthy language, and fisted him on his chest, stomach, and all over the body. Subsequently, the deceased felt chest pain, was admitted to the hospital, and passed away. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is in no way connected to the offence as alleged by the prosecution and has been falsely implicated. He further submits that the petitioner is arrayed as A7 and does not belong to the family of A1 to A5. He states that the petitioner is willing to cooperate with the investigation and abide by any stringent conditions imposed by this Court, and prays for the grant of bail considering his long incarceration.

4. The learned counsel for the intervener strongly opposes the grant of

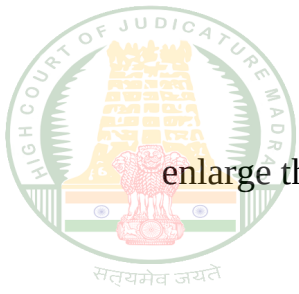


bail, submitting that out of a conspiracy, A1 and his family members took the husband of the defacto complainant to a secluded place and assaulted him as stated in the prosecution case, and thus prayed for the rejection of the bail application.

5. The learned Government Counsel (Criminal Side) appearing for the respondent police reiterates the case of the prosecution and opposes the grant of bail. However, he fairly submits that after the alleged assault by the petitioner and other accused persons, the deceased went back to his home, and due to his failing health, his family members later admitted him to the hospital, where he died during treatment. He also submits that a major portion of the investigation is already completed.

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

7. Considering the facts and the totality of the circumstances, this Court takes note of the fact that after the alleged attack, the deceased went to his home and was only subsequently admitted to the hospital where he passed away. Taking into further consideration the long incarceration of the petitioner, the fact that he is arrayed as A7 and does not belong to the family of A1 to A5, and that a major portion of the investigation is completed, this Court is inclined to



enlarge the petitioner on bail, subject to certain conditions.

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8. Accordingly, the petitioner is ordered to be released on bail on his 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 Judicial Magistrate No.IV, Salem, 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;

[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 and no relaxation petition is entertained for a period of 60 days;

[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



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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.

12-06-2026

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 Judicial Magistrate No.IV, Salem.
- 2.The Superintendent, Salem Central Jail, Salem.
- 3.The Inspector of Police, Attaiyampatti Police Station, Salem District.
- 4.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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