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CRL OP No. 14350 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 08-06-2026**

CORAM

**THE HON'BLE MR. JUSTICE C.KUMARAPPAN**

**CRL OP No. 14350 of 2026**

1. Velusamy @ Velusami
2. Kannaki @ Kannagi

..Petitioner(s)

Vs

State Rep. by,  
The Inspector of Police,  
Molasi Police Station,  
Namakkal District.  
Crime No.46 of 2026

..Respondent(s)

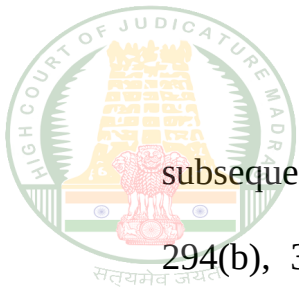
Criminal Original Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the Petitioners on bail pending investigation in Crime No.46 of 2026 on the file of the respondent and thus render justice.

For Petitioner(s): M/s.C.S.Saravanan

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

### **ORDER**

The petitioners, who were arrested and remanded to judicial custody on 10.05.2026 for the alleged offence punishable under Sections 296(b) and 109 of Bharatiya Nyaya Sanhita (BNS), 2023, (294(b) and 307 of IPC) and



subsequently @ to Sections 126(2), 296(b), 115(2) and 103(1) of BNS (341, 294(b), 323 and 302 of IPC) in Crime No.46 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the occurrence took place on 09.05.2025. Initially, a wordy quarrel broke out between the parties, which subsequently escalated into a physical assault. According to the prosecution, the overt act attributed to the present petitioners involves assaulting the defacto complainant with hands and legs, whereas the major overt act of assaulting the minor victim is directed solely against the first petitioner's son. Pursuant to the registration of the case and the subsequent demise of the minor, the petitioners were arrested and remanded in judicial custody. Hence, the case.

3. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated. He further submits that the petitioners are aged about 61 years, and the second petitioner is a woman. The learned counsel pointed out that no serious overt acts are attributed to these petitioners and that the primary allegations are directed against their son, and he prays for the grant of bail considering their age and the nature of the allegations.

4. The learned Government Counsel (Criminal Side) appearing for the respondent police opposes the grant of bail highlighting the gravity of the



offence involving the death of a 17 year old minor. However, he does not dispute the fact that the major overt act is attributed to the co-accused (the petitioners' son) and that the overt acts alleged against these petitioners are confined to assault using hands and legs.

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

6. Considering the facts and circumstances of the case, particularly the nature of the occurrence and the specific allegations, this Court takes note of the fact that no serious or fatal overt acts are attributed to these petitioners. Taking into further consideration the age of the petitioners, who are 61 years old, and the fact that the second petitioner is a woman, this Court is inclined to enlarge the petitioners on bail, subject to certain stringent conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), each with two sureties each for a like sum to the satisfaction of the Judicial Magistrate, Kumarapalayam, 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



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Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report before the Inspector of Police, B-2 Meenakshi Amman Temple Police Station, Madurai Main Road, Madurai, 625001 twice a day at 10.30 a.m. and 05.30 p.m., until further orders;

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

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

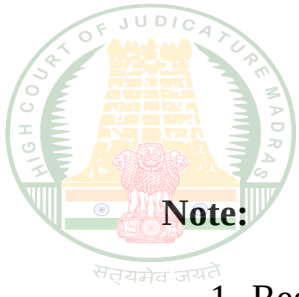
[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners released on bail by the learned Magistrate/Trial Court itself, as laid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

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

**08-06-2026**

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, Kumarapalayam.
- 2.The Superintendent, Central Prison, Salem.
- 3.The Inspector of Police, Molasi Police Station, Namakkal District.
- 4.The Inspector of Police, B-2 Meenakshi Amman Temple Police Station, Madurai Main Road, Madurai, 625001.
- 5.The Public Prosecutor, High Court of Madras, Chennai.



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**C.KUMARAPPAN, J.**

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