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Crl.O.P.No.15097 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.15097 of 2026

1. Dhanush
2. Prabakaran

... Petitioner(s)

Vs.

The State rep. by
The Inspector of Police,
Attaiyampatty Police Station,
Salem District.
Crime No.65 of 2026

... Respondent(s)

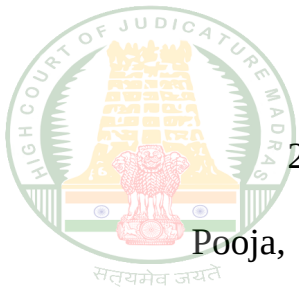
PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail concerned in Crime No.65 of 2026 pending on the file of the respondent police.

For Petitioner(s) : Mr.K.A.M.Jagadish Kumar

For Respondent(s) : Mr.S.Yogaraja Sekar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.03.2026 for the alleged offences under Sections 191(2), 103(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, 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, namely Pooja, and the deceased, Kalaiaarasan, were working in the same company and had developed a relationship. Upon learning of the same, 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 members attempted to pacify them, the petitioner, along with the other accused, attacked the deceased, abused him in filthy language, and assaulted him by fisting him on his chest, stomach and other parts of the body. Subsequently, the deceased complained of chest pain, was admitted to the hospital and later succumbed. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. He would further submit that the co-accused has already been enlarged on bail vide order dated 12.06.2026 passed in Crl.O.P.No.14548 of 2026, which fact was not seriously disputed by the learned Government Advocate (Crl. Side). Hence, the learned counsel submitted that the petitioner is also entitled to be enlarged on bail on the ground of parity.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of bail to the petitioner, reiterated the



prosecution case and, on instructions, submitted that the petitioner has no bad antecedents and that a major portion of the investigation has already been completed.

5. Considering the above facts and circumstances, particularly the period of incarceration undergone by the petitioner, the fact that the co-accused has already been enlarged on bail vide order dated 12.06.2026, the fact that the petitioner has no bad antecedents, and also the fact that a major portion of the investigation has already been completed, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

6. 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) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court-IV, Salem, and subject to the following conditions:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [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 stay at Nagercoil and report before the Inspector of Police, Nesamony Nagar Police



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Station, Thollavailai – 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 petitioners 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.

16.06.2026

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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 learned Judicial Magistrate Court-IV, Salem,

2. The Superintendent, Central Prison, Salem.

3. The Inspector of Police, Attaiyampatty Police Station, Salem District

4. The Inspector of Police, Nesamony Nagar Police Station,
Thollavailai – Vattakarai Road, Vattakarai, Vettumimadam, Nagercoil

5. The Public Prosecutor, High Court of Madras



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C.KUMARAPPAN,J.

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