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Crl.O.P.No.15380 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.15380 of 2026

1. Radha
2. Santhosh

... Petitioner(s)

Vs.

The State rep. by
The Inspector of Police,
Uddanapalli Police Station,
Krishnagiri District.
Crime No.82 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.82 of 2026 pending on the file of the respondent police.

For Petitioner(s) : Mr.J.Pradeep

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 28.04.2026 for the alleged offences under Sections 194 of BNSS @ Sections 103(1) and 238(a) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.82 of 2026 on the file of the respondent police, seek bail.



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2. It is the case of the prosecution that the first petitioner/first accused is the wife of the deceased and the second petitioner/second accused is the son of the deceased. The allegation against the petitioners is that the deceased was an alcoholic and, after consuming liquor, used to subject the first petitioner to cruelty. Enraged by such conduct, the first petitioner allegedly assaulted the deceased, resulting in his death. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and have been falsely implicated in this case. He would further submit that the petitioners have been in custody since 28.04.2026 and are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for the grant of bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of bail to the petitioners, reiterated the prosecution case and, on instructions, submitted that the first petitioner had committed the act of murder and that the second petitioner had assisted the first petitioner in screening the evidence. However, he fairly submitted that the petitioners have no bad antecedents and that a major portion of the investigation has already been completed.



5. Though serious allegations have been levelled against the petitioners, considering the period of incarceration undergone by them, the fact that the first petitioner is a women, the fact that the petitioners have 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 petitioners 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 No.II, Hosur, 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 report before the respondent police everyday at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

[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;



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[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]***;

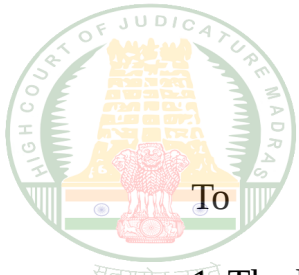
[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

18.06.2026

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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.



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सत्यमेव जयते
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1. The learned Judicial Magistrate No.II, Hosur
2. The Superintendent, Central Prison, Salem
3. The Inspector of Police, Uddanapalli Police Station, Krishnagiri District.
4. The Public Prosecutor, High Court of Madras



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C.KUMARAPPAN,J.

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