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CRL OP No. 15779 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15779 of 2026

Prabu

..Petitioner

Vs

State Rep. by,
The Inspector of Police,
Thandarampet Police Station,
Tiruvannamalai District.
Crime No. 54 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.54 of 2026 on the file of the respondent for the alleged offences Sections 296(b), 109(1) BNS @ into 296(b), 103(1) of BNS.

For Petitioner:

Mr.V.Elangovan

For Respondent:

Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.04.2026 for the alleged offences under Sections 296(b), 109(1) @ into 296(b), 103(1) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.54 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 27.04.2026 at about 9.30 a.m., the petitioner allegedly abused the defacto complainant in filthy language and assaulted him with a wooden log on his head. Subsequently, on 30.04.2026, the injured succumbed to the injuries.

3. The learned counsel appearing for the petitioner would submit that the occurrence took place on 27.04.2026 and the petitioner has been arrayed as an accused only based on suspicion. According to the learned counsel, even as per the FIR, the assault was allegedly committed by unknown persons and due to previous enmity between the families, the petitioner being a neighbouring land owner has been implicated in the case. It is further submitted that the petitioner has been in judicial custody since 28.04.2026. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the investigation is still pending and the involvement of the accused has yet to be identified. It is further submitted that if the petitioner is enlarged on bail, the same may jeopardize the prosecution case.

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



6. This Court is of the view that though the learned Government Advocate (Crl.Side) would submit that the investigation is pending, it is seen that initially no suspect name was mentioned in the FIR and only during the course of investigation, the petitioner came to be arrayed as an accused. The occurrence took place on 27.04.2026, the injured died on 30.04.2026 and the petitioner has been in custody since 28.04.2026. Taking into consideration the long incarceration and the fact that major portion of the investigation appears to have been completed, this Court is of the view that further custodial interrogation of the petitioner is not required, subject to certain conditions.

7. 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 for a like sum each to the satisfaction of the learned **District Munsif-cum-Judicial Magistrate, Thandarampet**, 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 is directed to stay at Coimbatore District and report before the Inspector of Police, E1-Singanallur Police Station, Coimbatore daily at 10.30



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a.m. until further orders.

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

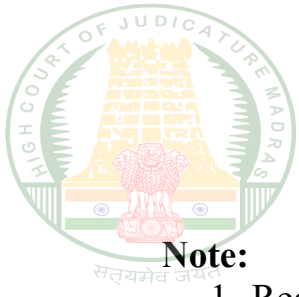
[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[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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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, Thandarampet.
2. Central Prison, Vellore.
3. The Inspector of Police,
Thandarampet Police Station,
Tiruvannamalai District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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