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CRL OP No. 15773 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. 15773 of 2026

Rajesh

..Petitioner

Vs

State rep. by,
The Inspector of Police,
Kachirapalayam Police Station,
Kallakurichi District.
Crime No.196 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in pending investigation in Crime No.196 of 2026 on the file of the respondent police.

For Petitioner:

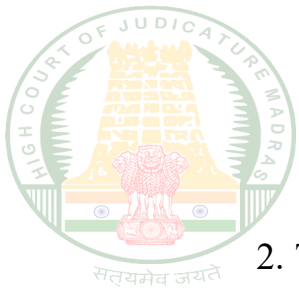
Mr.V.Gunasekar

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 24.05.2026 for the alleged offences under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 324(4), 351(3), 109(1) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.196 of 2026 on the file of the respondent police, seeks bail.



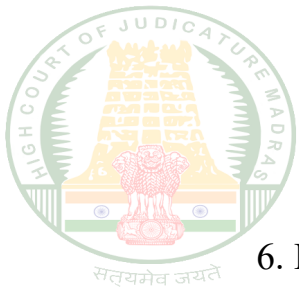
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2. The case of the prosecution is that due to a dispute relating to cleaning of a water canal between neighbouring landowners, on 23.05.2026, the petitioner along with other accused abused the defacto complainant and his family members in filthy language, attacked them with iron rods and wooden logs and threatened them with dire consequences.

3. The learned counsel appearing for the petitioner submitted that there are about sixteen accused in this case and all of them are family members. It is submitted that the dispute arose out of a long-standing land dispute between the family of the petitioner and the family of the defacto complainant. The learned counsel would further submit that the co-accused have already been enlarged on bail by the learned Principal District and Sessions Judge, Kallakurichi in Crl.M.P.No.1039 of 2026 on 16.06.2026 and therefore the petitioner is entitled to parity. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there are four injured persons in this case. However, all the injured persons have already been discharged from the hospital.

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



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6. From the submission of the learned counsel on either side, this Court is of the view that the occurrence appears to have arisen out of a land dispute between the families of the petitioner and the defacto complainant. There are sixteen accused and the co-accused have already been enlarged on bail by the learned Principal District and Sessions Judge, Kallakurichi in Crl.M.P.No.1039 of 2026 on 16.06.2026. Taking into consideration the long incarceration of the petitioner, the fact that all the injured persons have been discharged from the hospital, this Court is inclined to extent parity to the petitioner and enlarge him on bail, 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 **Judicial Magistrate, Chinnasalem**, 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 daily at 10.30 a.m. for a period of 30 days and thereafter as and when required for interrogation;



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[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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NSL

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, Chinnasalem.
2. Sub Jail, Kallakurichi.
3. The Inspector of Police, Kachirapalayam Police Station, Kallakurichi District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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