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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31264 of 2026

CNR: {HCMA012477942026}

Sampathkumar
S/o.Duraisamy,
No.8/141-A,Andal Nagar,
Samanaickenpalayam,
Vellamadai,
Coimbatore - 641 110.

..Petitioner(s)

Vs

The State rep by the Inspector of Police
Periyanaickenpalayam Police station,
Coimbatore.
Crime No.524 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.524 of 2026 on the file of the Inspector of Police, Periyanaickenpalayam Police Station, Coimbatore.

For Petitioner(s): Mr.P.Thinesh

For Respondent(s): Mr.M.M.I. Khaleel
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.08.2026 for the alleged offence under Sections 103 and 238 of BNS, in Crime No.524 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the deceased is the brother of A1 and was allegedly living alone and creating a disturbance while under the influence of alcohol. It is alleged that the petitioner, along with other accused, assaulted the deceased, resulting in his death. A2, who is a friend of A1, allegedly assisted in disposing of the dead body, which was recovered from a well in a decomposed state. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in judicial custody since 07.08.2026. He further submitted that the co-accused has already been released on bail by this Court in Crl.OP.No.30028 of 2026 dated 16.10.2026. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that, as per the post-mortem certificate, the deceased had sustained multiple stab injuries. He further submitted that the samples were sent for DNA analysis and that the report was awaited. He further submitted that the petitioner has no criminal antecedents pending against him. However, he opposed the grant of bail to the Petitioner.

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5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the nature of the allegations, the relationship between the parties and the period of incarceration already undergone and that the petitioner has no criminal antecedents, this Court is inclined to enlarge the petitioner 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 each**, for a like sum to the satisfaction of the **learned Judicial Magistrate Court No.5, Coimbatore,** and on further conditions that:

[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., 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,

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the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];**

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

29-10-2026

DRL

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 Court
No.5, Coimbatore.

2. The Inspector of Police
Periyanaickenpalayam Police station,
Coimbatore.

3.The Superintendent,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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