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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. 31288 of 2026

CNR: {HCMA012552442026}

Ritheesh Kumar
S/o.Asalraja,
Padamathur,
Sivaganga District-630 562.

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
Sundarapuram Police Station,
Coimbatore.
Crime No.297/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.297/2026 on the file of Sundarapuram Police station Coimbatore District.

For Petitioner(s): Mr.Prabu S

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.08.2026 for the alleged offences under Sections 308(4), 329(4), 351(3), 309(4), 311 of BNS, in Crime No.297 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner is a friend of defacto complainant's room mate. On the date of the alleged occurrence, the petitioner along with three others, illegally trespassed into the defacto complainant's house, threatened him and his friends by showing a knife and robbed silver ornaments, gold ornaments, three mobile phones and the defacto complainant's scooter. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated, due to previous cases and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been in judicial custody since 24.08.2026. He further submitted that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police, while opposing the grant of bail to the petitioner, reiterated the prosecution case and, on instructions, submitted that the petitioner has 17 previous cases pending against him, including one murder case. However, he opposed the grant of bail to the Petitioners.

5. At this juncture, the learned counsel for the petitioner relied upon the judgment of the Hon'ble Supreme Court in **Prabhakar Tewari Vs State of**

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U.P. & Another, reported in **Criminal Appeal No.153 of 2020**, and drew the attention of this Court to the observation made at page no.7 of the judgment, which reads as follows:

"The offence alleged no doubt is grave and serious and there are several criminal cases pending against the accused. These factors by themselves cannot be the basis for refusal of prayer for bail."

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

7. Relying upon the above judgment, the learned counsel for the petitioner submitted that the pendency of 17 previous cases, by itself, cannot be a ground for rejecting the petitioner's bail application. However, considering the nature and gravity of the allegations, the period of incarceration already undergone and the fact that the investigation is still pending, this Court is inclined to enlarge the petitioner on bail subject to certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a s**um of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each, for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate Court, Madukarai, and on further conditions that:**

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[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, twice daily at 10.30 a.m and 5.30 p.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 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.

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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 Court, Madukarai.

2. The Inspector of Police
Sundarapuram 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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