Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31186 of 2026

Mariappan,
S/o.Kuppusamy,
No.2/4-645,
Navapatti,
Mettur Taluk,
Salem District. ...Petitioner/Accused

Vs

The State Represented by
The Inspector of Police,
Mettur Police Station,
Salem District. ...Respondent/Complainant
(Crime No.214 of 2026)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.214 of 2026 on the file of the Respondent.

For Petitioner(s): Mr.C.Deepakkumar
For Respondent(s): Mr.M.M.I.Khaleel,
Govt.Advocate (Crl.Side)

O R D E R

The Petitioner, who was arrested and remanded to judicial custody on 24.08.2026 for the alleged offence under Sections 296(b) and 103(1) of BNS, 2023, in Crime No.214 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the proseuction is that, due to a dispute over the formation of a pathway through agricultural land, the petitioner allegedly attacked his younger brother, Rajendran, with an iron rod and a billhook on 23.08.2026, causing his death. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and has been falsely implicated in this case. He further submitted that the petitioner has been in judicial custody since 24.08.2026. He also further submitted that the first bail application was dismissed by this Court in Crl.O.P.No.28376 of 2026 dated 05.10.2026 and the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. The learned Government Advocate (Criminal Side), appearing for the respondent police, opposed the grant of bail by submitting that the case is under investigation and that the allegations against the petitioner are serious in nature. Hence, he sought dismissal of the bail petition.

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

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6. Considering that the petitioner is a senior citizen aged 74 years, the period of incarceration undergone by him, and the relationship between the parties, this Court is inclined to grant bail to the petitioner, subject to the following 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.1, Mettur,** 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, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in acc with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial

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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.

28-10-2026

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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.

To

1.The Judicial Magistrate Court No.1,
Mettur.

2.The Inspector of Police,
Mettur Police Station,
Salem District.

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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