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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30841 of 2026

Ganapathi @ Rainbow Ganapathi,
S/o.Chinnappan,
28/1, Nethaji Street,
Vellampalayampudur,
Modakurichi, Erode District. ...Petitioner/Accused No.1

Vs

The State represented by
The Inspector of Police,
Modakurichi Police Station,
Erode District. ...Respondent/Complainant
(Crime No.182 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.182 of 2026 pending on the file of Modakurichi Police Station, Erode.

For Petitioner(s): Mr.J.Ranjithkumar

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 24.09.2026 for the alleged offence under Sections 109(1), 126(2) of BNS and subsequently altered to Section 109(10, 126(2), 61(2) of BNS, in Crime No. 182 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the proseuction is that, owing to enmity arising from an alleged illicit relationship between the prime accused, Ganapathi, and the de-facto complainant's wife, Ganapathi conspired with the other accused to murder the complainant. On 22.09.2026, the accused allagedly intercepted the complainant's car, threatened him with aruvals and iron rods, attempted to attack him and damaged his car. Based on the complaint, the respondent poilce registered a case in Crime No.182 of 2026.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner has been in judicial custody since 24.09.2026. He also further submitted that 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. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the petitioner, along with the other accused, conspired to murder the de-facto complainant due to previous enmity and intercepted his car with aruvals and iron rods. He further submitted that the accused attempted to attack the complainant and damaged his car. He also further submitted that the investigation is in preliminary stage. Hence, 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 facts and circumstances of the case, the nature of the allegations and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions

7. Accordingly, the petitioner is ordered to be released on bail on him 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 District Munsif-cum-Judicial Magistrate Elumathur, Modakurichi Taluk,** 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;

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[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 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 Elumathur, Modakurichi Taluk.

2.The Inspector of Police,
Modakurichi Police Station,
Erode District.

3.The Superintendent,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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