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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. 30750 of 2026

CNR: {HCMA012563122026}

1. Subramaniyan
   S/o Palani,
   Athuvambadi Village,
   Polur Taluk, Tiruvannamalai District.

2. Sathiya
   W/o Subramaniyan,
   Athuvambadi Village,
   Polur Taluk, Tiruvannamalai District.

..Petitioner(s)

Vs

The State rep by the Inspector of Police
Santhaval Police Station,
Tiruvannamalai District.
Crime No.189 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime no.189 of 2026 pending investigation on the file of the respondent.

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 17.09.2026 for the alleged offences under Sections 109, 115(2), 118(1), 126(2), 191(2), 191(3), 296(b), 351(3) of BNS in Crime No.189 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 previous enmity over a land dispute, on 16.09.2026, the petitioners unlawfully assembled with deadly weapons and attacked the husband of the defacto complainant. A1 assaulted him with a knife. A2 assaulted him with stone on his head and back. The other co-accused assaulted him with wooden log and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in the present case, due to previous enmity and that they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners have been in judicial custody since 17.09.2026. Hence, he prays for grant of bail to the petitioners.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police, while opposing the grant of bail to the petitioners, reiterated the prosecution case and, on instructions, submitted that the specific allegations against the petitioners is that they assaulted the defacto complainant with knife and stone on his head, causing injuries to him. He further submitted that the injured was discharged from the hospital and that the investigation is still pending. However, he opposed the grant of bail to the petitionerss.

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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 levelled against the petitioners, the period of incarceration already undergone, the fact that the injured was discharged from the hospital and that the petitioners have no previous cases pending against them, this Court is inclined to enlarge the petitioners on bail subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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 Judicial Magistrate, Polur, Tiruvannamalai District, 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with the evidence or

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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 petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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.

23-10-2026

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.

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To

1.The Judicial Magistrate, Polur,
Tiruvannamalai District.

2. The Inspector of Police
Tiruvannamalai District.

3.The Superintendent,
Central Prison, Vellore.

4.The Special Prison for Women,
Vellore.

5.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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