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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32252 of 2026

Periyasamy,
S/o.Velu,
3/432, Echampallam Village,
Seeriyampatti Post,
Palacode Taluk,
Dharmapuri District,
Tamil Nadu – 636 808. ...Petitioner/2nd Accused

Vs

The State, rep by
The Inspector of Police,
Marandahalli Police Station,
Dharmapuri District. ...Respondent/Complainant
(Crime No.149 of 2026)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to release the petitioner on bail pending investigation in Crime No.149 of 2026 on the file of the respondent.

For Petitioner(s): Mr.M.P.Saravanan

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 12.07.2026 for the alleged offence under Sections 296(b), 126(2), 103(1) of BNS Act, in Crime No.149 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 previous enmity, on 12.07.2026, A1 and A2 allegedly restrained the de-facto complainant and the deceased, abused them, and assaulted the deceased with a knife and beer bottle, respectively. The deceased was thereafter taken to the hospital, where he was declared dead. Hence, the case.

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 12.07.2026. 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 there are two accused in this case and the petitioner is arrayed as A2. He further submitted that the specific overt act against the petitioner is that he allegedly assaulted the deceased with a beer bottle. He further submitted that the investigation is completed and the charge sheet has been filed in P.R.C.No.15 of 2026. 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 nature of the allegations and the period of incarceration already 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 Judicial Magistrate, Palacode, Dharmapuri 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 petitioner shall report before the Trial Court 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 Judicial Magistrate,
Palacode, Dharmapuri District.

2.The Inspector of Police,
Marandahalli Police Station,
Dharmapuri 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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