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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32124 of 2026

CNR: {HCMA012637152026}

Umesh Kumar Mandal
S/o.Vasudev Mandal,
Puliyamaram Koil Medu,
Coimbatore Taluk,
Coimbatore District,
(Presently Confined at Central Prison,
Coimbatore).

Case QR

..Petitioner(s)

Vs

The State rep by the Inspector of Police
Sirumugai Police Station,
Coimbatore District.
Crime No.166 of 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.166 of 2026 on the file of the respondent police

For Petitioner(s): Mr.P.Muthamizhselvakumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.07.2026 for the alleged offences under Section 194 of BNSS, 2023 @ Sections 103(1) and 238 of BNS, 2023 in Crime No.166 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 17.06.2026, while the Sub-Inspector of Police was on station duty, a written complaint was received from the Village Administrative Officer (VAO), who is the defacto complainant herein, stating that there are three accused involved in the commission of the offence. The first accused (A-1) and the deceased, Sangeetha Devi, were husband and wife. The second accused (A-2) and the petitioner herein (A-3) are stated to be friends of A-1. It is alleged that the deceased was in an extra-marital relationship with a third person and had eloped with him. Subsequently, she returned and resumed living with A-1. Hence, the complaint.

3. It is further alleged that on the date of the occurrence, a quarrel ensued between A-1 and the deceased, in the course of which A-1 alone strangulated the deceased with her 'thuppatta' (upper cloth). Thereafter, all three accused are alleged to have jointly placed the body of the deceased in a gunny sack and disposed of it in a well with an intention to screen the evidence and conceal the offence. Initially, the case was registered under Section 194 of the BNS, 2023 for suspicious death, and subsequently, it was altered to Sections 103(1) and 238 of the BNS, 2023. The petitioner was arrested and remanded to judicial custody on 06.07.2026.

4. The learned counsel appearing for the petitioner submitted that the co-accused/A3 has already been granted bail by this Court in Crl.OP.No.28616 of

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2026 dated 06.10.2026. He further submitted that the petitioner has been in continuous judicial custody since 06.07.2026 and therefore, prays for the grant of bail.

5. The learned Government Advocate (Criminal Side) appearing for the respondent heavily opposes the bail petition. He further submits that the petitioner is arrayed as A2. He further submits that the petitioner, along with the other accused, actively participated in packing and disposing of the dead body in a well to destroy evidence of a brutal murder. He further submits that the investigation completed and the charge sheet has also been filed.

6. Heard both sides and perused the materials available on record, including the case diary.

7. The deceased is the wife of A1. The petitioner has been arrayed as A2. The co-accused/A3 has already been granted bail by this Court. It is submitted by the learned counsel for the petitioner that the petitioner is similarly placed as A3 and stands on the same footing as the said co-accused. Considering the nature of the allegations, and the fact that the investigation completed and the charge sheet has also been filed and also considering the period of incarceration already undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

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8. 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**, **(out of which, one surety must be a blood related surety)** for a like sum to the satisfaction of the **learned Judicial Magistrate Court, Mettupalayam,** 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 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];**

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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

04-11-2026

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.

To

1.The Judicial Magistrate Court,
Mettupalayam.

2. The Inspector of Police
Sirumugai Police Station,
Coimbatore District.

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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