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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. 32391 of 2026

Kavitha,
W/o.Manikandan,
Bhuvanagiri Road,
Vallar Nagar Kurinjipadi,
Kurinjipadi Taluk,
Cuddalore District. ...Petitioner/Accused

Vs

The Inspector of Police,
Kurinjipadi Police Station,
Cuddalore District. ...Respondent/Complainant
(Crime No.91 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.91 of 2026 on the file of the respondent.

For Petitioner(s): Mr.K.Karuppaiyamooppanar

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 27.08.2026 for the alleged offence under Section 118(2) and 103(1), 296(b) BNS Act, in Crime No.91 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the proseuction is that, on 18.04.2026, the de-facto complainant's son was found dead, hanging from a tree situated behind the petitioner's house. Initially, a case was registered under Section 194 of the BNSS. Subsequently, during the course of investigation, the FIR was altered by implicating the petitioner, his father and brother, alleging that they had assaulted the deceased, who was thereafter found hanging from the said tree. 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 27.08.2026. 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 wife of the deceased, his father-in-law and brother-in-law had allegedly assaulted the deceased, resulting in his death. He further submitted that the investigation is completed and the charge sheet has been filed. 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 this case and the submissions made by the learned Government Advocate (Criminal Side), 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 her 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 Court, Kurinjipadi,** 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 Court, Kurinjipadi.

2.The Inspector of Police,
Kurinjipadi Police Station,
Cuddalore District.

3.The Superintendent,
Central Prison, Vellore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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