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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 23-11-2026**

CORAM

**THE HON'BLE MR.JUSTICE N.RAMESH**

**CRL OP No. 34453 of 2026**

Rajivgandhi,
S/o.Elumalai,
Madha Koil Street,
Seerpananthal, Vanapuram Taluk,
Kallakurichi District,
Tamil Nadu-605 754. ...Petitioner/Accused

Vs

The State rep by
The Inspector of Police,
Manalurpet Police Station,
Kallakurichi District. ...Respondent/Complainant
(Crime No.197 of 2026)

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/accused on bail on the file of Manalurpet Police Station, Kallakurichi District in Crime No.197 of 2026.

For Petitioner(s): Mr.M.Manivelan

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 04.10.2026 for the alleged offence under Sections 296(b), 118(1), 109(1) of BNS Act, in Crime No.197 of 2026 on the file of the respondent police, seeks bail.



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2. It is a case of grievous assault by the husband on his wife arising out of a matrimonial dispute. According to the prosecution, due to a matrimonial dispute, the de-facto complainant's sister and her children had been residing separately at Thamoor Village for the past four years. On 04.10.2026 at about 09.50a.m., the petitioner allegedly went to her house, abused her in filthy language and assaulted her, causing multiple puncture wounds to her stomach and intestines. Though the injured was dischaged from the hospital, the investigation is still pending. Hence, the present 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 04.10.2026. 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, being the husband of the injured, due to a matrimonial dispute, went to her residence and assaulted her, causing multiple puncture wounds to her stomach and intestines. He further submitted that though the injured has been discharged from the hospital, the investigation is still pending. Hence, he strongly 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 petitioner adn the injured are husband and wife, and the occurrence arose out of a matrimonial dispute. Further, the injured has been discharged from the hospital. Hence, 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, Tirukoilur,** 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 twice daily at 10.30 a.m., and 5.30p.m., until further orders;**
>
> **[c]the petitioner shall file an affidavit of undertaking before the learned Magistrate stating that he shall not disturb, threaten or interfere with the de-facto complainant in any manner. In the event of any**



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**complaint being received from the de-facto complainant regarding violation of the said undertaking, the bail granted to the petitioner will be automatically cancelled;**

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[f] 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];**

[g] 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.



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To

1.The Judicial Magistrate,
Tirukoilur.

2.The Inspector of Police,
Manalurpet Police Station,
Kallakurichi District.

3.The Superintendent,
Sub Jail, Tirukoilur.

4.The Public Prosecutor,
High Court, Madras.



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**N.RAMESH, J.**

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