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CRL OP No. 24201 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-08-2026

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THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 24201 of 2026

Tharunkumar

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
Karuppur Police Station,
Salem,
Crime No.173/2026.

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 483 of BNSS, 2023, pleaded to enlarge the petitioner on bail in Crime No.173 of 2026 pending investigation on the file of the respondent police

For Petitioner(s):

M/s.S.Sengkodi

For Respondent(s):

Mr.M.M.I.Khaleel,

Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.06.2026 for the alleged offences under Sections 191 (2), 191 (3), 296 (b), 115 (1), 118 (1), 109 of BNS altered to Section 296 (b), 115 (2), 118 (1), 103 (2) of BNS Act, in Crime No.173 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, on account of previous enmity, the petitioner along with other accused abused the defacto-complainant's husband, her brother-in-law and one Sasikumar in filthy language and assaulted them

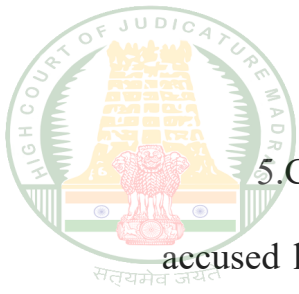


using wooden logs and stones and further, threatened them of dire consequences, thereby causing fatal injuries to the defacto-complainant's husband and later the defacto-complainant's husband succumbed to the injuries.

Hence the case.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and has been in custody since 28.06.2026. He also submitted that the co-accused A1, A2, A6 and A7 were granted bail by the learned Principal Sessions Judge, Salem, in CrI.M.P.Nos.2177, 2121 & 2135 of 2026 on 27.08.2026, 19.08.2026 and 20.08.2026 respectively. The learned counsel for the petitioner further submitted that even in the First Information Report, it is only alleged that the petitioner intimidated the deceased and others on the date of the occurrence. Except for this, that no specific overt act has been alleged against the petitioner. Hence, he prays to grant bail to the petitioner.

4.Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner is the master mind behind the alleged occurrence and played a significant role in the commission of the offence. He further submitted that the investigation has been completed and charge sheet is yet to be filed. Consequently, he opposed for grant of bail to the petitioner.



5. Considering the facts and circumstances of the case, the fact that the co-accused have already been released on bail, the fact that the investigation has been completed and the charge sheet is yet to be filed and the fact that the petitioner has been incarcerated since 28.06.2026, this Court is of the firm view that his further custody is not necessary for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 each for a like sum to the satisfaction of the **learned Principal Session Judge, Salem**, and subject to the following conditions:

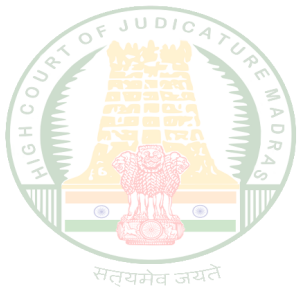
[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[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 take appropriate action against the petitioner in accordance with law as if the



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conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

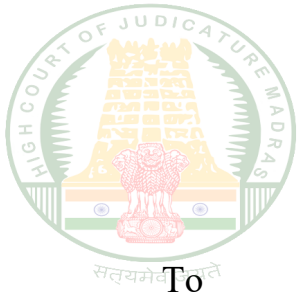
[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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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

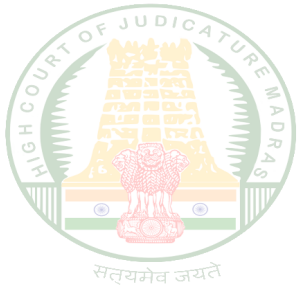
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1.The Principal Session Judge, Salem.

2.The Superintendent of Prison,
Central Prison, Salem.

3.The Inspector of Police
Karuppur Police Station,
Salem.

4.The Public Prosecutor
High Court of Madras.



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N.RAMESH, J.

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