

(2026) 03 MAD CK 0932

In the Madras High Court

Case No : Criminal Original Petition No. 6290 Of 2026

Muthulingam

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 11-03-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 108, 194, 269
Code Of Criminal Procedure, 1973 — Section 174

Citation : (2026) 03 MAD CK 0932

Hon'ble Judges : C.Kumarappan, J

Bench : Single Bench

Advocate : M.Dhivyalakshmi, S.Vinoth Kumar

Judgement

C.Kumarappan, J

1. The petitioner, who was arrested and remanded to judicial custody on 13.02.2026 for the alleged offences under Section 194 of BNSS @ 108 of BNS (under Section 174 of Cr.P.C.) in Crime No.30 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that this petitioner had relationship with the deceased's wife, which was questioned by the deceased and while being so, the petitioner humiliated the deceased by questioning his sexual capacity and in furtherance thereof he committed suicide. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been in judicial custody since 13.02.2026 and is ready to abide by any stringent conditions that may be imposed by this Court. Hence, she prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) for the respondent police submitted that the entire case revolves around incident in furtherance of the

wordy quarrel between the deceased and the petitioner. He would strongly oppose the application in view of the allegation against this petitioner. He further submitted that the investigation is almost completed.

5. I have given anxious consideration to the submissions made by the learned counsel appearing on either side and also perused the materials available on record.

6. Therefore, this Court is of the view that the petitioner has been in incarceration since 13.02.2026 and the investigation might have been completed by this time. Therefore, further custody of the petitioner is not required. In such view of the position, this Court is inclined to enlarge the petitioner on bail, subject to the following conditions:-

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.IV Coimbatore, 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 twice a day at 10.30 a.m. and 05.30 p.m. for a period of 30 days, and thereafter as and when required for interrogation;

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