
(2026) 05 MAD CK 1342

In the Madras High Court, Madurai Bench

Case No : Criminal Original Petition (MD) No. 9843 Of 2026

Saravana Karuppasamy

APPELLANT

Vs

State Of Tamil Nadu

RESPONDENT

Date of Decision : 27-05-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 105, 115(2), 118(1), 269, 296(b), 351(3)
Tamil Nadu Prohibition Of Harassment Of Women Act, 1998 — Section 4

Citation : (2026) 05 MAD CK 1342

Hon'ble Judges : K.Murali Shankar, J

Bench : Single Bench

Advocate : K.Sathish Kumar, D.Venkatesh

Judgement

K.Murali Shankar, J

1. The petitioner/sole accused, who was arrested and remanded to judicial custody on 29.03.2026 for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNS and Section 4 of TNPHW Act and 105 of BNS, in Crime No.175 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that on 29.03.2026, while he was returning home after work at about 10.30 p.m., he found the petitioner knocking at the door and demanding a mobile phone. During the quarrel, Kamatchi came out and stated that the petitioner had abused her and demanded the mobile phone. The petitioner also abused the defacto complainant, resulting in a scuffle. Thereafter, when the defacto complainant and his sister reached Kakkan Street junction, the petitioner allegedly attacked Rukmani on the back of her head with a cement stone, causing severe injuries. She was taken to Government Hospital, Madurai, in a 108 Ambulance. Based on the complaint, a case was registered in Crime No.175 of 2026. Subsequently, on 03.04.2026, Rukmani died and the sections were altered accordingly.

3. The learned counsel appearing for the petitioner would submit that the defacto complainant's sister stolen the mobile phone of the petitioner from his house and after knowing the same, the petitioner went to the house of the defacto complainant's and asked to return his mobile. At that time, there was a scuffle between the petitioner and the defacto complainant. During the scuffle, the defacto complainant alone pushed down his sister, thereby she fell down and got injury on her head. He further submitted that no occurrence was happened as per the prosecution and the petitioner was falsely implicated in this case. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that though FIR came to be registered for the offence under Sections 296(b), 115(2), 118(1) and 351(3) of BNS and Section 4 of TNPHW Act, subsequent to the death of the injured, the case was altered to Sections 296(b), 115(2), 118(1), 351(3) of BNS and Section 4 of TNPHW Act and 105 of BNS. He further submitted that the charge sheet has not yet been filed and that the investigation is pending awaiting the forensic report. Hence, he opposed the grant of bail to the petitioner.

5. Considering the fact that already there was previous enmity between the petitioner and the defacto complainant's sister and also the facts that the petitioner is in judicial custody from 29.03.2026, that the petitioner is not having pending cases for any serious offences and that the investigation is almost completed, this Court is inclined to grant bail to the petitioner subject to the following 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 Judicial Magistrate No.IV, Madurai.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation;

(iii) the petitioner shall not tamper with evidence or witness;

(iv) the petitioner shall not abscond during trial;

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

(vi) If the accused thereafter abscond, a fresh FIR can be registered under

Section 269 BNS, 2023.