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Crl.O.P.No.19400 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.19400 of 2026

1. Kavinesh
2. Anbalagan
3. Pasupathi
4. Jeeva

... Petitioner(s)

Vs.

The State rep. by
The Inspector of Police,
Steel Plant Police Station,
Salem City.
Crime No.251 of 2025

... Respondent(s)

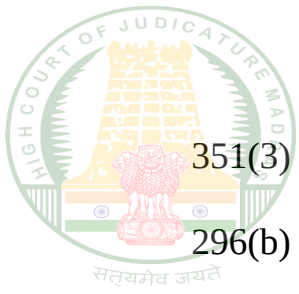
PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail concerned in SC.No.161 of 2026 on the file of the learned III Additional District and Sessions Judge, Salem

For Petitioner(s) : Mr.L.Ramanathan

For Respondent(s) : Mr.S.Yogaraja Sekar,
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on various dates, namely, 18.09.2025, 20.09.2025 and 22.09.2025, respectively, for the alleged offences under Sections 191(2), 191(3), 296(b), 332(a), 137(2) and



351(3) read with Section 3(5), Sections 103(2) read with Section 3(5) and 296(b) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.251 of 2025 on the

WEB COPY file of the respondent police, seek bail.

2. It is the case of the prosecution that there are totally fourteen accused and the petitioners herein are arrayed as accused Nos.6 to 9. The allegation against the petitioners is that, due to previous rivalry, they attacked the deceased using hands and wooden logs, thereby causing his death. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and have been falsely implicated in this case. He would further submit that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. It is the specific submission of the learned counsel that the specific overt act attributed to the petitioners is only that they had abetted the commission of the offence and that no specific allegation has been made against them with regard to the fatal assault. He would further submit that the investigation has already been completed and the final report has also been filed, which fact was not seriously disputed by the learned Government Advocate (Crl. Side). Hence, he prayed for the grant of bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of bail to the petitioners, reiterated the prosecution case and, on instructions, submitted that this is a case of rivalry



murder and that, if the petitioners are enlarged on bail, there is every possibility of retaliation. He further submitted that the fourth petitioner has three previous criminal cases, whereas the first to third petitioners have no criminal antecedents.

5. Though the fourth petitioner has three previous criminal cases, the same are not of a serious nature, as they pertain to theft cases of the year 2022. Considering the totality of the circumstances, the period of incarceration undergone by the petitioners, the fact that the first to third petitioners have no criminal antecedents, the limited overt act attributed to the petitioners, namely, that they had only abetted the commission of the offence, and also the fact that the investigation has been completed and the final report has already been filed, this Court is inclined to enlarge the petitioners on bail, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their 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.2, 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



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of any one of the identity proofs to ensure their identity;

[b] the petitioners shall stay at Virudhunagar and report before the Inspector of Police, Srivilliputtu Taluk Police Station, Ramakrishnapuram, Mangapuram, Srivilliputhur, Tamil Nadu 626125 everyday at 10.30 a.m. until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners 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.

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Note:

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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 learned Judicial Magistrate No.2, Salem,
2. The Superintendent, Central Prison, Salem
3. The Inspector of Police, Steel Plant Police Station, Salem City.
4. The Inspector of Police, Srivilliputtu Taluk Police Station,
Ramakrishnapuram, Mangapuram, Srivilliputhur, Tamil Nadu 626125.
5. The Public Prosecutor, High Court of Madras



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C.KUMARAPPAN,J.

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