



WEB COPY

CRL OP No. 23222 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 23222 of 2026

1. Hemanthan
S/o.Kumaran,
No.2/54, Bajanai Koil Street,
Vandranthagal, Katpadi Taluk,
Vellore District- 632 007.
2. Karthick
S/o.Balaji,
No.1/35, Gangaianman Koil Street,
Vandranthagal, Katpadi Taluk,
Vellore District-632 007.

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
Katpadi Police Station,
Vellore District.
Crime No.170 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending
investigation of the case in Crime No.170 of 2026 on the file of the respondent

For Petitioner:

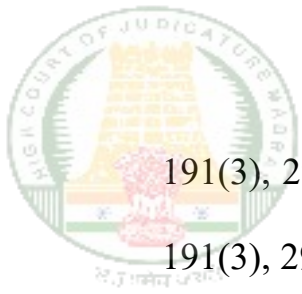
Mr.S.Silambuselvan

For Respondent:

Mr.M.M.I.Khaleel
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on
25.06.2026 for the alleged offence under Sections 115(2), 118(1), 191(2),



191(3), 296(b), 351(3) of BNS 2023 @ Sections 111, 115(2), 118(1), 191(2), 191(3), 296(b) and 351(3) of BNS 2023 in Crime No.170 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that case was initially registered as a “Man Missing” case. Thereafter, during the course of investigation, it came to light that the petitioners, along with the other accused, had formed an unlawful assembly and chased the deceased with wooden logs. It is the specific allegation of the prosecution that, despite knowing that the deceased was running towards a nearby well, the accused continued to chase him, thereby creating a reasonable apprehension of death or grievous harm in his mind, as a consequence of which the deceased fell into the well and succumbed to the injuries sustained. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in the present case and that they have not committed any offence as alleged by the prosecution. He further submitted that the co-accused A1 to A3 were already granted bail and these petitioners are in custody since 25.06.2026 and they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioners.



4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that initially this case was registered for man missing and later, it was altered into Section 105 of BNS after the missing person was found dead. He further submitted that due to previous enmity, between the petitioners and the defacto complainant, the petitioners along with other accused allegedly formed and unlawful assembly, came armed with wooden logs, and attacked the defacto complainant and his friends and he fled from the scene of occurrence. Later, the person was found dead in the well. The specific allegations against these petitioners is that despite knowing that the deceased was running towards a well, continued to chase him, thereby creating apprehension of death, and he fell into the well resulting in the death of the deceased. These petitioners are arrayed as A6 and A9 and A9 is having one previous case pending against him.. He further submitted that this case is under investigation. Hence, he opposed the grant of bail to the Petitioners.

5. Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side); considering



the totality of the circumstances and that the co-accused A1 to A3 were already granted bail in this case and period of incarceration of the petitioners since 25.06.2026, this Court is inclined to grant bail to the petitioners, subject to certain conditions.

7. 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) each**, with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Katpadi**, 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 daily 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 pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

20-08-2026

GV

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

: 1. The Judicial Magistrate, Katpadi.

2. The Superintendent,
Central Prison, Vellore

3. The Inspector of Police
Katpadi Police Station,
Vellore District

4. The Public Prosecutor,
High Court of Madras



WEB COPY

CRL OP No. 23222 of 2



N.RAMESH, J.

GV

CRL OP No. 23222 of 2026

20-08-2026