

CRL OP(MD). No.15753 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.07.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

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Balasubramanian

... Petitioner / Accused No.3

Versus

The State of Tamil Nadu,
Rep by the Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli District.
(Crime No.281 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 483 of the BNSS, 2023, to enlarge the petitioner on bail in Crime No.281 of 2026 on the file of the respondent police.

For Petitioner : Mr.A.S.Abul Kalaam Azad,
Advocate
for M/s.Spicy Law Firm

For Respondent : Mr.T.Lenin Kumar,
Counsel for State of TN
(Crl. Side)



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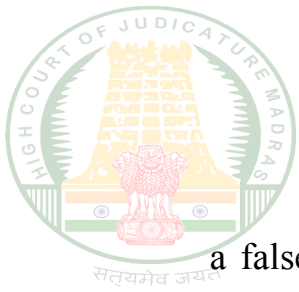
ORDER : The Court made the following order :-

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The petitioner / Accused No.3, who was arrested and remanded to judicial custody on 05.06.2026, for the offences punishable under Sections 191(2), 191(3) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, altered into Sections 103(2), 191(2) and 191(3) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.281 of 2026 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that A1, who is the son of the deceased, owing to a family dispute, entered into a criminal conspiracy with the other accused to murder the deceased. In furtherance of the said conspiracy, while the deceased was asleep in his house, A1 and A2 trespassed into the house, and A1 attacked the deceased with an iron rod, causing his death. It is further alleged that the present petitioner stood guard outside the house to facilitate the commission of the offence and to prevent any interference. Accordingly, the present case came to be registered.

3. The learned counsel appearing for the petitioner submitted that



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a false case has been foisted against the petitioner and that no specific overt act has been attributed to him. He further submitted that the petitioner is innocent and is willing to cooperate with the investigation and abide by any condition that may be imposed by this Court. It was also submitted that the petitioner has no previous criminal antecedents. He also submitted that the petitioner had recently suffered a heart attack and was admitted to the Intensive Care Unit (ICU) for treatment. On these grounds, he prayed that this Court may be pleased to grant bail to the petitioner.

4. The learned Counsel appearing for the State (Criminal Side) reiterated the prosecution case and submitted that the petitioner has been arrayed as A3. He further submitted that the specific overt act attributed to the petitioner is that he guarded the scene of occurrence while A1 and A2 allegedly attacked the deceased. It was also submitted that A5 is still absconding and that the investigation is at a crucial stage. Therefore, he opposed the grant of bail to the petitioner.

5. This Court has carefully considered the rival submissions and



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perused the materials available on record.

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6. Considering the facts and circumstances of the case, overt act attributed to the petitioner, and the period of incarceration already undergone by him and also taking into account the fact that the petitioner has no criminal antecedents, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Tirunelveli, and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

[d] the petitioner shall not abscond either during investigation or trial;



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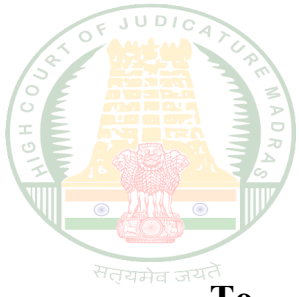
[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 51730]***.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

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To
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- 1.The Judicial Magistrate No.IV,
Tirunelveli.
- 2.The Superintendent,
Central Prison,
Palayamkottai,
Tirunelveli District.
- 3.The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.RAJASEKAR,J.

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ORDER
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