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Crl.O.P.Nos.19588 & 19612 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 10.07.2025**

CORAM

**THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR**

**Crl.O.P.Nos.19588 & 19612 of 2025**

|                        |                                            |
|------------------------|--------------------------------------------|
| Gopi                   | ... Petitioner in Crl.O.P.No.19588 of 2025 |
| Guna alias Gunasekaran | ... Petitioner in Crl.O.P.No.19612 of 2025 |

Vs.

|                                                                                                                                        |                |
|----------------------------------------------------------------------------------------------------------------------------------------|----------------|
| The State of Tamil Nadu,<br>Rep. by The Inspector of Police,<br>Dusi Police Station,<br>Tiruvannamalai District<br>(Cr.No.202 of 2025) | ... Respondent |
|----------------------------------------------------------------------------------------------------------------------------------------|----------------|

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime 202 of 2025 pending on the file of the respondent.

|                 |                                                       |
|-----------------|-------------------------------------------------------|
| For Petitioners | : M/s.K.Prasanth                                      |
| For Respondent  | : Mr.R.Vinoth Raja<br>Government Advocate (Crl. Side) |
| For Intervenor  | : Mr.H.Eshwar                                         |

**ORDER**



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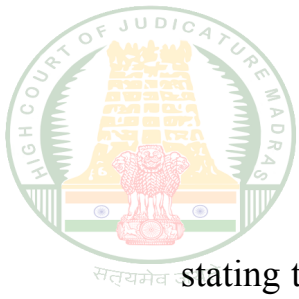
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The petitioners, who were arrested and remanded to judicial custody on 12.05.2025 in Crime No.202 of 2025 for the offence punishable under Sections 103(1) of BNS Act altered into Sections 103(1), 61(2) of BNS Act, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that there is previous enmity between the deceased and A1, for which, A1 along with other accused said to have committed murder of the deceased. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that co-accused have been granted bail by this Court in Crl.O.P.No.16660 of 2025 dated 18.06.2025. Hence, he prayed for grant of bail to the petitioner.

4. The learned counsel appearing for for the defacto complainant/intervenor strongly opposed for grant of bail to the petitioners



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stating that, A1 in this case was a dismissed Police Constable and the wife of the deceased is a panchayat president and there is longstanding dispute between them and that, earlier A1 had kidnapped the deceased, for which, a case in Crime No.13 of 2022 was registered and thereafter A1 was arrested and released, keeping this as vengeance, A1 had attacked the deceased and there arose a push and pull between them, for which, cases have been registered against both the parties, wherein deceased had obtained bail and was complying with the condition, while so, during March 2021, when the deceased was returning from Court, A1 along with other accused intercepted and attacked the deceased, thereby the deceased died and a case in Crime No.202 of 2025 was registered against 6 persons. He further submitted that, in this case, A1 is still absconding and if the petitioner is let out on bail, the investigation would get stalled. Hence, he opposed for grant of bail to the petitioners.

5. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioner stating that A1 along with petitioners and others murdered the deceased and further submitted that, A1 in this case is still



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absconding.  
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6. Considering the gravity of the offence committed by the petitioners and the fact that the main accused in this case is still absconding, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, this Criminal Original petition is dismissed.

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**10.07.2025**

**M.NIRMAL KUMAR, J.**

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