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Crl.O.P.No.26295 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.26295 of 2025

Tamilarasan

... Petitioner

Vs.

The State represented by
The Inspector of Police,
North Police Station,
Tiruppur.
(Crime No.717 of 2025)

... Respondent

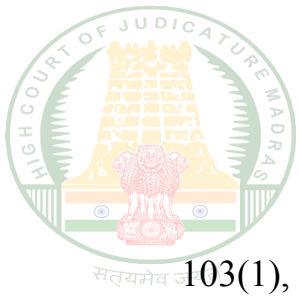
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.717 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.J.Franklin

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 26.06.2025, for the offence punishable under Section 103(1) of BNS @



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103(1), 249(a), 49 and 61(2) of BNS, in Crime No.717 of 2025, registered on the file of the respondent, seeks bail.

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2. The allegation against the petitioner is that the petitioner is ranked as A1 in this case and, due to political rivalry and previous enmity with one Suman, the petitioner hatched conspiracy and other accused attacked the deceased, Balamurugan, with aruval and caused murder.

3. Learned counsel for the petitioner submitted that though the petitioner has been implicated as A1 in the FIR, during the investigation it was revealed that one Suman is the main accused, who instigated and also participated in the conspiracy. It was further submitted that A2 to A4 attacked the deceased and committed murder and thereafter returned, handed over the vehicle used, and also showed the aruval to the petitioner herein. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail, reiterating the prosecution



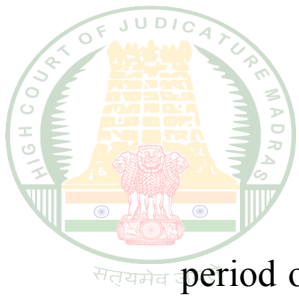
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case and submitted that there are totally 5 accused and the petitioner is ranked as A1. He further submitted that in the investigation it was revealed that one Suman, who is arrayed as A3, had specific enmity with the deceased due to political activities. It is further submitted that there was previous enmity between A2 and A4, and that they, along with A5, hatched conspiracy, and by using the vehicle belonging to the petitioner, went to the place of occurrence, attacked the deceased, and committed murder.

5. The petitioner herein was implicated based on the confession given by the co-accused, and it is alleged that, after conspiracy to murder, they informed the petitioner soon before the occurrence that they were going to attack the deceased, for which petitioner concurred. Subsequently, after committing murder, other accused showed the approval to the petitioner. Except the above allegations, no other material produced to show his involvement to murder the deceased.

6. Considering the overt act that the petitioner was informed before and after the occurrence about the intention to murder, and considering the



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period of incarceration and the fact that the petitioner does not have any bad criminal antecedents, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Tiruppur**, 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 stay at Tirunelveli and report before the Palayamkottai Town Police Station daily at 10.30 a.m., for a period of three weeks, and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and



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witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

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K.RAJASEKAR, J.

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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 No.I, Tiruppur.
- 2.The Inspector of Police,
North Police Station,
Tiruppur.
- 3.The Palayamkottai Town Police Station, Tirunelveli.
- 4.The Sub Jail, Gobichettipalayam.
- 5.The Public Prosecutor,
High Court of Madras.

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