



WEB COPY



Crl.O.P.No.26932 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.26932 of 2025

1.A.Anantha Prasath
2.Rathna Varshan

... Petitioners

Vs.

The State Rep. By,
The Inspector of Police,
Hasthampatty Police Station,
Salem District.
Crime No.256 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail pending investigation in Crime No.265 of 2025 on the file of the respondent police.

For petitioners : Mr.S.Lal Devasagayam
For Respondent : Mr.A.Gopinath
Government Advocate (Criminal Side)

ORDER

The petitioners were arrested and remanded to judicial custody on 18.07.2025 and 23.07.2025 respectively, for the offence punishable under Sections 191(2), 191(3), 103(2) and alteration Section 61(2) of BNSS, 2023,



Crl.O.P.No.26932 of 2025

in Crime No.256 of 2025, registered on the file of the respondent, seeks bail.

WEB COPY

2. The case of the prosecution is that the deceased, Madhankumar, was an accused in another case for the death of one Kutty. He was released on bail and was regularly appearing before the respondent police. Due to previous enmity, A1 to A10, along with the present petitioners, who all hail from the same village, conspired together. They stayed at Salem, observed the movements of the deceased, and taking advantage of an opportunity, waylaid and attacked him indiscriminately, causing his death.

3. The learned counsel for the petitioners submitted that the petitioners, who are arrayed as A11 and A12, were not present at the place of occurrence, and they have been falsely implicated in this case. It is further submitted that the petitioners have no previous criminal antecedents.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there are totally 13 accused, and the petitioners are ranked as A11 and A12, who were directly involved in the attack, have been detained under Act 14 of 1982. Though the petitioners claim that they have no previous case, the materials collected during investigation reveal that they actively participated



Crl.O.P.No.26932 of 2025

in the conspiracy and, on their instructions, the other accused went to the place of occurrence and attacked the deceased. The investigation in this case is still pending. Hence, he strongly opposed the grant of bail.

5. Considering the gravity of the offence, the nature of allegations, and the fact that the investigation is not yet concluded, and as this is a case of heinous murder, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this criminal original petition stands dismissed.

06.10.2025

cda

To

1.The Judicial Magistrate No.III, Salem.

2.The Inspector of Police,
Hasthampatty Police Station,
Salem District.

3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

cda



WEB COPY



Crl.O.P.No.26932 of 2025

Crl.O.P.No.26932 of 2025

06.10.2025