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Crl.O.P.Nos.26618 & 26667 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.Nos.26618 & 26667 of 2025

Sanjay

... Petitioner
in Crl.O.P.No.26618 of 2025

Vijayan

... Petitioner
in Crl.O.P.No.26667 of 2025

Vs.

The State represented by
The Inspector of Police,
Rathinagiri Police Station,
Rathinagiri, Ranipet District.
(Crime No.155 of 2025)

... Respondent
in Crl.O.P.No.26618 of 2025

State of Tamil Nadu represented by
The Sub-Inspector of Police,
Rathinagiri Police Station,
Ranipet District.
(Crime No.155 of 2025)

... Respondent
in Crl.O.P.No.26667 of 2025

COMMON PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail in Crime No.155 of 2025 pending on the file of the respondent Police.



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For Petitioner : Mr.G.Vinodh Kumar
in Crl.O.P.No.26618 of 2025

For Petitioner : Mr.M.R.Thangavel
in Crl.O.P.No.26667 of 2025

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)
in both Crl.O.P.s'

COMMON ORDER

The petitioner/A6 was arrested and remanded to judicial custody on 10.08.2025, for the offence punishable under Sections 191(2), 191(3), 296(b), 109(1) @ 103(1), 191(2), 191(3), 296(b) of BNS, and the petitioner/A9 was arrested and remanded to judicial custody on 11.08.2025, for the offence punishable under Sections 191(2), 191(3), 296(b), 109(1) of BNS, 2023, and later altered into Sections 103(1), 191(2), 191(3), 296(b) of BNS, 2023, [corresponding to Sections 302, 147, 148, 294(b) of IPC] in Crime No.155 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioners are associates of the main accused, A1 and that due to previous enmity, the petitioners hatched conspiracy along with the other accused assaulted the deceased by



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using knife. It is alleged that A6 and A7 monitored the movements of the deceased and shared his location, based on which A1 to A5 went to the place of occurrence, attacked him indiscriminately, and caused his death.

3. Learned counsel appearing for the petitioners submitted that the overt act attributed to them is that they only assisted the other accused in committing the murder of the deceased, and they did not directly participate in the occurrence. He further submitted that one of the co-accused, A7 was already granted bail in Crl.O.P.No.25553 of 2025 dated 19.09.2025, and that the petitioners have been in custody since 10.08.2025 and 11.08.2025, respectively. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail, reiterating the prosecution case. He further submitted that A6 has one previous case and the investigation in the present case is still pending.

5. Heard both sides and perused the materials available on record.



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6. Considering the nature of the allegations, the period of incarceration and taking into account that the co-accused, A7 was granted bail by this Court in Crl.O.P.No.25553 of 2025 dated 19.09.2025, this Court is inclined to grant bail to the petitioners with certain conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **District Munsif cum Judicial Magistrate, Arcot**, 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 petitioners shall stay at Tiruvannamalai and report before the Tiruvannamalai Town Police Station daily at 10.30 a.m., until further orders;

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



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

[e] the petitioners 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 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]**;

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

cda

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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.



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To

- 1.The District Munsif cum Judicial Magistrate, Arcot.
- 2.The Inspector of Police,
Rathinagiri Police Station,
Rathinagiri, Ranipet District.
- 3.The Sub-Inspector of Police,
Rathinagiri Police Station,
Ranipet District.
- 4.The Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai.
- 5.The Central Prison, Vellore.
- 6.The Central Prison, Thorapadi, Vellore.
- 7.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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