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Crl.O.P.No.29323 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.29323 of 2025

1. Dhanasekaran
2. Sridharan

... Petitioners/ A4 &A5

Vs

The State rep. by,
The Sub-Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram,
Kanchipuram District.
(Crime No.291 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in
Crime No.291 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. K.G. Senthilkumar

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



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 10.07.2025 for the offences punishable under Sections 296(b), 103, 61(2), 351(3) and 49 of BNS (Sections 294(b), 302, 120(b), 506(ii) and 109 of IPC) in Crime No.291 of 2025, registered on the file respondent police, seek bail. The earlier bail application of the petitioners was dismissed by this Court, vide order dated 10.09.2025 in Crl.O.P.No.23935 of 2025.

2. The case of the prosecution is that on account of previous enmity in respect of sharing the ancestral property, the petitioner along with other accused conspired together and committed murder of the defacto complainant's wife namely Sumathi. Hence, this case.

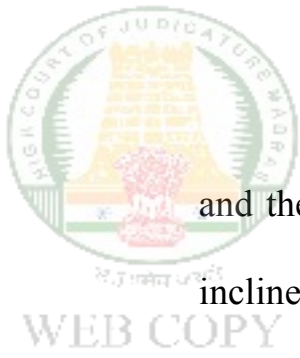
3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and the petitioners are in judicial custody since 10.07.2025; that there is no specific overtact against these petitioners and there is no role of the petitioners in the alleged offence. He further submitted that the change in circumstances



after the dismissal of the earlier bail application of the petitioners is that, the investigation was completed and final report filed and the case is now in PRC stage; that the co-accused were enlarged on bail by the lower Court, vide order dated 07.10.2025 and 13.10.2025 in Crl.M.P.Nos.1864 and 1951 of 2025, respectively; and that the petitioners are ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioners reiterated the prosecution case and stated that there are totally five accused involved in this case and the petitioners are arrayed as A4 and A5; that the investigation was completed, final report also filed and the case is in PRC stage.

5. Considering the facts of the case, the fact that after dismissal of the earlier bail application of the petitioners in Crl.O.P.No.23935 of 2025, the investigation of the case was completed and final report filed and taking note of the fact that the co-accused were already enlarged on bail



and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Kanchipuram, Kanchipuram District** 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 report before the respondent police daily at 10:30 a.m., for a period of three weeks and thereafter, as and when required for interrogation by the respondent police;

[c] 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



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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]**;

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

29.10.2025

stn

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.II,
Kanchipuram, Kanchipuram District.
2. The Sub-Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram, Kanchipuram District.
(Crime No.291 of 2025)

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K. RAJASEKAR, J.

stn

3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.

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