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Crl.O.P.Nos.28568 & 28734 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.Nos.28568 & 28734 of 2025

Benito ... Petitioner in Crl.O.P.No.28568 of 2025

Logeshkumaran @ Logesh ... Petitioner in Crl.O.P.No.27339 of 2025

Vs.

The State represented by
The Inspector of Police,
Chettipalayam Police Station,
Coimbatore District. ... Respondents in both Crl.OPs
(Crime No.261 of 2025)

COMMON PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners/Accused on bail in Crime No.261 of 2025 pending investigation before the The Inspector of Police, Chettipalayam Police Station, Coimbatore District.



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Crl.OP.Nos.28568 and 28734 of 2025:

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

COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on 08.08.2025 and 07.08.2025 respectively, for the offence punishable under Sections 296(b), 103(1) and 238 of BNS, in Crime No.261 of 2025, registered on the file of the respondent, seek bail.

2. The prosecution case is that, A1 was running car rental business, in which, deceased was one of the auto driver working under him. Due to money dispute, deceased used to quarrel with A1, which enraged A1 and he joined with A2 and attacked the deceased with wooden log and deadly weapons indiscriminately and committed murder and thereafter on getting the assistance of A3 to A6 (including the petitioners herein), with a view to conceal the body, they have dumped the body in an isolated place. Based on the complaint lodged by VAO, a complaint was registered, which culminated into FIR.



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3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and since the deceased was working under A1, he has been arrested and forcibly confession was recorded under him. He further submitted that the petitioners were arrested and they were in custody from 08.08.2025 and 07.08.2025 respectively. Hence, he prays to grant bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that due to previous enmity, A1 along with other accused attacked the deceased and committed murder of the deceased and dumped the body in an isolated place. Hence, he strongly opposed the grant of bail to the petitioners.

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

6. Considering the manner in which the occurrence had taken place and major part of the investigation has been completed and taking into account the period of incarceration, this Court is inclined to grant bail to the petitioners with certain conditions:



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7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **District Munsif Cum Judicial Magistrate, Madukkarai**, 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 10.00 a.m. for 30 days, and thereafter as and when required for interrogation;

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

[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



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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.

25.10.2025

Vv

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
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- 1.The District Munsif Cum Judicial Magistrate,
Madukkarai.
- 2.The Inspector of Police,
Chettipalayam Police Station,
Coimbatore District.
- 3.The Central Prison, Coimbatore.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

Vv

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