



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05.02.2026**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.2638 of 2026

Musaraf

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Hudco Police Station,
Krishnagiri District.
(Crime No.388 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to
enlarge the petitioner on bail in Crime No.388 of 2025 on the file of the
respondent police.

For Petitioner : Mr.P.M.Jayachandran

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
05.12.2025 for the offences punishable under Sections 103, 191(2), 191(3),
61(2) of BNS, Act in Crime No.388 of 2025, registered on the file of the
respondent police, seeks bail.



2. The allegation against the petitioner is that he is ranked as A4 in this case. It is alleged that A1 was having an illicit affair with the deceased and that the deceased had spent huge amount of money for his expenses, and taking advantage of the same, the deceased forced her to continue in prostitution for the purpose of his personal gain. Unable to bear the same, the deceased engaged A2, who in turn paid a sum of Rs.7 lakhs and engaged other accused. Thereafter, all the accused allegedly proceeded to the place of occurrence and attacked the deceased with various deadly weapons, resulting in his death. It is further alleged that A8 to A10 assisted the other accused by watching the movement of the deceased and informing the same to the other accused prior to the occurrence. On such instigation by A8 along with other accused/A4 & A5 went to the place of A11, and the petitioner/A4 herein allegedly attacked the deceased with a wooden log and other deadly weapons, causing his death. Hence, a complaint was lodged and the petitioner was arrested

3. The learned counsel appearing for the petitioner submitted that there is no specific overt act attributed to the petitioner in the present case, that he has no relationship with the main accused, and that he is the brother of A5. He further submitted that the petitioner has been in incarceration since 05.12.2025 and that he is ready to cooperate with the investigation. Hence, he prays to grant bail to the petitioner.



4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that there are totally 11 accused in this case and the petitioner is ranked as A4. He further submitted that the petitioner attacked the deceased with a *koduval* on the left leg, resulting in his death, and that the co-accused, namely A8 and A11, were also not granted bail by this Court. He also submitted that the investigation is still pending. Hence, he opposed the grant of bail to the petitioner.

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

6. Considering the submissions made by the learned counsel on both sides, the nature of the allegations, since the petitioner was arrested recently and that the investigation is still pending, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

05.02.2026

drl

To

1. The Inspector of Police,
Hudco Police Station,
Krishnagiri District.

2. The Public Prosecutor,
High Court, Madras.

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K. RAJASEKAR, J.

drl

CrI.O.P.No.2638 of 2026

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