



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.1608 of 2026

1.P.Kabil Dev

2.P.Karthik

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Kadambathur Police Station,
Tiruvallur District.
(Crime No.165 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioners on bail in Crime No.165 of 2025 on the file of the respondent police.

For Petitioners : Mr.A.Suresh Sakthi Murugan

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

ORDER

The petitioners, who was arrested and remanded to judicial custody on 24.11.2025 for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNS, @ 296(b), 115(2), 118(1), 351(3), 109 and 103 of BNS, in Crime No.165 of 2025, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioners is that due to previous enmity, they entered into the house of the deceased and attacked him with stones and wood.

The deceased sustained injuries and died after 24 days, and hence the case was altered and the petitioners are in judicial custody. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the deceased did not die due to the injuries sustained, but due to natural causes. He further submitted that the petitioner is in judicial custody since 24.11.2025. Hence, he prays for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that there are three accused in this case and the petitioners are arrayed as A1 and A2. He further submitted that the first petitioner has one previous case pending against him and that the second petitioner has no previous case and that the investigation is still pending. Hence, he opposed to grant bail to the petitioners.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions made by the learned counsel on either side, the nature of the allegations, considering the period of their incarceration from 24.11.2025 and that the major part of the investigation is over, 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.25,000/- (Rupees Twenty Five Thousand only)

each with two sureties each, for a like sum to the satisfaction of the learned

Judicial Magistrate No.II, Tiruvallur and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book 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.

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the 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)AIR SCW 5560];



[f] If the accused thereafter absconds, a fresh FIR can

be registered under Section 269 B.N.S.

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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.

To

- 1.The Judicial Magistrate No.II,
Tiruvallur.
- 2.The Inspector of Police,
Kadambathur Police Station,
Tiruvallur District.
- 3.The Superintendent,
Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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