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Crl.O.P.No.2774 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2026

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THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.2774 of 2026

Boopathy S/o.Kandhasamy

... Petitioner/ Accused-2

Vs

The State rep. by,
The Inspector of Police,
Magudanchavady Police Station,
Salem District.
(Crime No.423 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in Crime No.423 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr.W.Camyles Gandhi

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.11.2025, for the offences punishable under Sections 194(1) of BNSS, @ Sections 103(1), 303(2), 238 of BNS @ Section 103(1), 303(2), 238 and 64(2)(i) of BNS, in Crime No.423 of 2025, registered on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner herein is ranked as A2 in this case; A1 has engaged one Periyamma (Deceased No.1) for doing certain works; however, she has not been paid wages; when she demanded the same from A1, he refused to pay her and also attacked, strangled her neck and murdered her which was witnessed by the deceased No.2; immediately, she was also attacked by A1 and she was also similarly murdered by him; at that time, A2 went to the place of occurrence and A1 informed the occurrence to A2, who in turn helped A1 and both of them dumped the bodies of the victims in the nearby quarry pit. Regarding the occurrence, originally the case was registered as suspicious deaths later altered into 103(2 counts) and also for the offences under 303(2), 238 and 64(2)(i) of BNS a case was registered by the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and he is in judicial custody from 07.11.2025 and has not involved in the alleged murders and he has only dropped A1 in the bus stand and not aware of the incident occurred and the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, prays to grant bail to the petitioner.



4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that there are totally two victims in this case and and that the investigation is completed and the final report has been filed and the same has been taken on file as PRC.No.1 of 2026 on the file of the Judicial Magistrate No.II, Sankagiri, and the petitioner is not having any previous case against him.

5. I have considered the submissions made and perused the materials available on record.

6. Considering the facts and circumstances of the case, the period of incarceration undergone by the Petitioner since 07.11.2025 and overt act against the petitioner herein and the fact that the petitioner is not having any previous case and final report has also been taken on file, I am inclined to grant bail to the petitioner herein with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his 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**



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Judicial Magistrate -II, Sankagiri, 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 petitioner shall report before the concerned Jurisdictional Magistrate at 10:30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;**

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

06.02.2026

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Note :

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K. RAJASEKAR, J.

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To

1. The Judicial Magistrate – II, Sankagiri.
2. The Inspector of Police,
Magudanchavady Police Station,
Salem District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

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