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CRL OP No. 3265 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 3265 of 2026

1. Jabaraj
2. Arulraj

..Petitioner(s)

Vs

The State Rep by
The Inspector of Police,
Avadi Police Satation,
Thiruvallur District
(Crime No.766/2025)

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioners on bail in Crime.No.766 of 2025 on the file of the respondent police.

For Petitioner(s): Mr.B.Rajvigneshwar

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



ORDER

The petitioners, who were arrested and remanded to judicial custody on 23.11.2025, for the offences punishable under Sections 109 @ 103(1) of BNS, in Crime No.766 of 2025, registered on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 23.11.2025, due to previous enmity, the petitioners abducted the deceased to a nearby building and attacked him using a wooden log, thereby committing murder. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. That apart, the petitioners have been suffering incarceration from 23.11.2025. Therefore, he prays to grant bail to the petitioners.

4.The learned Government Advocate (Crl.Side) for the respondent police reiterated the prosecution and submitted that the investigation is completed and the final report is also filed and the same is taken on record in PRC No.6 of 2026. He further submitted that there is no previous cases pending against the petitioners. Hence, he opposed for the grant of bail to the petitioners.

5.Considering the fact that the petitioners are under incarceration, that



they have no previous cases, that the investigation has been completed and the final report has been filed, and considering the fact that the injured died in the hospital while undergoing treatment, 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 separate bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate Court -II, Poonamalle**, 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 appear before the Trial Court concerned daily at 10:30 a.m., for a period of three weeks and thereafter, on all hearing dates without fail;**

[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 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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

11-02-2026

GBI

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 State Rep by
The Inspector of Police,
Avadi Police Satation,
Thiruvallur District
(Crime No.766/2025)
- 2.The Judicial Magistrate Court -II, Poonamalle.
- 3.The Central prison, Puzhal.
- 4.The Public Prosecutor, High Court of Madras.



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