



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.4295 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 : Dr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.12.2025 for the alleged 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 A5 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 to commit murder. 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/A5 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. Earlier this Court dismissed the bail petition filed by the petitioner in CrI.OP.No.2638 of 2026 dated 05.02.2026 on the following reasons:

“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.”



4. The learned counsel appearing for the petitioner submitted that after dismissal of the bail petition filed by the present accused, two other accused were released on bail by the Sessions Court. He further submitted that now the investigation is completed and the final report filed and the same was taken on file in PRC.No.5 of 2026 on the file of Judicial Magistrate No.II, Hosur, Hence, he prayed to grant bail to the petitioner.

5. The learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is ranked as A4 and that is a case of murder, wherein the deceased was murdered by engaging hirelings for a sum of Rs.7 lakhs, and the petitioner is one of the said hirelings. He further submitted that the petitioner has five previous cases pending against him. Hence, he opposed to grant bail to the petitioner.

6. Considering the submissions made by the learned counsel on either side, the nature of the allegations, the fact that the petitioner has five previous case pending against him and considering that he is alleged to be one of the hirelings engaged in the commission of the murder, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

20.02.2026

drl



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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

Crl.O.P.No.4295 of 2026

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