



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 4830 of 2026

1. Raja
2. Sarathkumar

..Petitioners

Vs

The State Rep. by
Inspector of Police,
Gurubarapalli Police Station,
Krishnagiri District.
(Crime No.380/2025

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime No.380/2025 on the file of respondent.

For Petitioners: Mr.C.Deepakkumar

For Respondent: Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioners/A1 & A2, who were arrested and remanded to judicial custody on 27.11.2025 for the alleged offences under Sections 106(1), 61(2), 281, 103(1) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.380 of 2025 on the file of the respondent police, seek bail.



2. The case of the prosecution is that one Raghupathi, who is working as a catering worker, on 21.11.2025 at about 11.00 a.m., went to his work in his vehicle bearing Registration No. TN 24 BH 6684 (Hero Splendor). While he was proceeding near the bridge over the Thenpennai River at Ennaikkolpudur on the National Highway Road, a Hyundai Santro car bearing Registration No. TN 01 Q 7890 came from behind and hit Raghupathi and thereafter fled from the place of occurrence. As a result of the accident, Raghupathi succumbed to the injuries. Hence the case.

3. The learned counsel appearing for the petitioners submitted that originally the petitioners have nothing to do with the alleged offence and a false case has been foisted against them for statistical purpose. The petitioners were in no way connected with the alleged offence and their names were not found in the FIR. The petitioners were remanded to judicial custody on 27.11.2025 and they are in custody till date. He further submitted there is no previous case is pending against the petitioners and investigation is also completed. Hence, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that though the petitioners claim that it was only a road accident, the investigation reveals that it was a planned murder. It is further submitted that the deceased was not supporting his wife who is A3 in the



present case and A1 is the brother-in-law of the deceased. Hence, he opposed to grant bail to the petitioners.

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5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. From the submission of the learned counsel on either side, it appears that the petitioners are in incarceration since 27.11.2025. It also appears that the investigation might have been completed by this time and there are no previous cases against the petitioners. In such view of the position and also taking into consideration the nature of occurrence and the gravity of the offence and allegation against the petitioners, this Court is inclined to grant bail to the petitioners, subject to 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-II, Krishnagiri**, and subject to the following conditions:

[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 report before the respondent police twice a day at 10.30 a.m. and 05.30 p.m. until further orders;

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

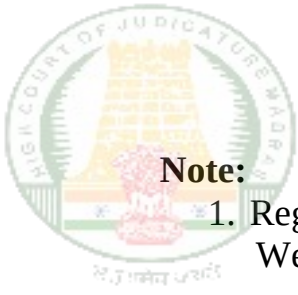
[d] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioners thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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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-II, Krishnagiri.
2. The Central Prison, Salem.
3. The Inspector of Police, Gurubarapalli Police Station, Krishnagiri District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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