



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.4249 of 2026

Thenpandi

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Alangayam Police Station,
Tirupattur District.
(Crime No.169 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.169 of 2025 on the file of the respondent police.

For Petitioner : Mr.E.Kannadasan

For Respondent : Dr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.12.2025 for the alleged offences punishable under Section 103 of BNS, 2023 in Crime No.169 of 2025, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that he is ranked as A4 in this case. It is alleged that, due to previous enmity between A1 and the deceased, under the pretext of negotiation, the accused called the deceased to a burial ground, where A1 attacked him with aruval and committed murder. This petitioner is alleged to have joined hands with the other accused and assisted A1 for committing murder. The overt act against the petitioner is that he watched the movements of others and facilitated the attack on the deceased by the other accused. Hence, a case has been registered and the petitioner was arrested.

3. The learned counsel for the petitioner submitted that the petitioner is in judicial custody for more than 60 days and that he has not have any previous case pending against him. He further submitted that the petitioner did not attack the deceased and is only alleged to have watched the movements of other accused at the time of the occurrence. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that all the persons in this case were arrested and that the investigation is still pending. Hence, he opposed to grant bail to the petitioner.

5. Considering the nature of the allegations, the period of incarceration



of the petitioner from 17.12.2025, the overt act attributed against the petitioner, and that the petitioner has no previous case, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (**Rupees Twenty Five Thousand only**) with two sureties each, for a like sum to the satisfaction of the learned **Judicial Magistrate No.III, Tirupattur**, 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 petitioner shall stay at Erode and report before the Erode Town Police Station, daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

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

[d] the petitioner 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



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action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

20.02.2026

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.III,
Tirupattur.
- 2.The Inspector of Police,
Alangayam Police Station,
Tirupattur District.
- 3.The Superintendent,
Central Prison, Vellore.
- 4.The Public Prosecutor,



High Court, Madras.



K. RAJASEKAR, J.

drl

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