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Crl.O.P.No.8459 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.8459 of 2026

Santhoshkumar

... Petitioner(s)

Vs.

State rep. by the Inspector of Police,
Thiruvannainallur Police Station,
Villupuram.
Crime No.53 of 2026

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail concerned in Crime No.53 of 2026 pending on the file of the respondent police.

For Petitioner(s) : Mr.G.Saravana Bhavan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.01.2026 for the alleged offences under Sections 296(b), 115(2), 118(1), 351(3), 109(1) and 103 of the Bharatiya Nyaya Sanhita, 2023, r/w Section 4 of the TNPHW Act in Crime No.53 of 2026 on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that, due to previous enmity, the petitioner, along with the other accused, attacked the minor deceased, thereby causing his death. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner has been under incarceration since 30.01.2026 and is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of bail to the petitioner, reiterated the prosecution case and fairly submitted that the investigation has already been completed and that the petitioner has no bad antecedents.

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

6. Considering the above facts and circumstances, the nature of the allegation, the period of incarceration undergone by the petitioner, and the fact



that the petitioner has no bad antecedents, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

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7. Accordingly, the petitioner is ordered to be released on bail on their 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 District Munsif cum Judicial Magistrate, Thiruvannainallur, 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 petitioner shall report before the respondent police twice a day at 10.30 a.m. and 05.30 p.m. for a period of one month 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 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 petitioner



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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 petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

06.04.2026

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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 learned District Munsif cum Judicial Magistrate, Thiruvennainallur.
2. The Superintendent, Central Prison, Cuddalore.
3. The Inspector of Police, Thiruvennainallur Police Station, Villupuram.
4. The Public Prosecutor, High Court of Madras



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C.KUMARAPPAN,J.

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