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CRL OP No. 12174 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 12174 of 2026

1.S.Jagadeesh
S/o.Sakthivel

2.E.Jagankumar
S/o.Elumalai

3.K.Elumalai,
S/o.Kumar

..Petitioners/A1 to A3

Vs

State represented by The Inspector of Police
Vellimedupettai Police Station,
Villupuram District.
(Crime No.14/2026)

.....Respondent/complainant

PRAYER:- Criminal Original Petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail to the petitioners
in Crime No.14 of 2026 on the file of the respondent-police.

For Petitioner(s): Ms.A.Tamizhi

For Respondent(s): Mr.L.Baskaran,
Government Advocate (Criminal Side)

ORDER

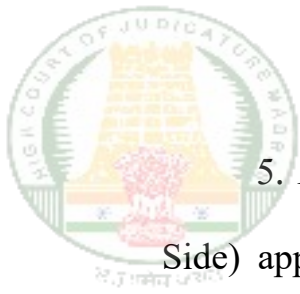
This Criminal Original Petition has been filed by the petitioners on
11.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS),
2023, praying to grant bail.



2. The petitioners, who are respectively arrayed as A1 to A3, were arrested and remanded to judicial custody on 18.02.2026 for the alleged offences punishable under Sections 103(1), 296(b), 61(2), 115(2), 118(1) and 238 of BNS, 2023, in Crime No.14 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that the deceased had been criticising and speaking ill of the girlfriend of A1. Further, the deceased created a ruckus with A2 by demanding money for consuming liquor. Due to the said enmity, A1 and A2 along with A3 and A4, conspired to murder the deceased. Accordingly, on 17.02.2026, all the accused took the deceased to a secluded place and while he was in an inebriated condition, attacked him on the head with hammer, caused his death and thereafter, threw his body in the Nagavaram forest area. Based on the said occurrence, the present complaint was lodged and the case was registered for Man Missing and later altered to the aforesaid offences.

4. Ms.A.Tamizhi, learned counsel for the petitioners, submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. She further submits that this is the second bail application filed by the petitioners before this Court. She also submits that the petitioners are in judicial custody from 18.02.2026. She further submits that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Therefore, she prays to grant bail to the petitioners.



5. *Per contra*, Mr.L.Baskaran, learned Government Advocate (Criminal Side) appearing for the respondent-police submits that totally there are four accused in this case and the petitioners have been arrayed as A1 to A3 and A4 is a juvenile. Due to previous enmity, the accused conspired together and murdered the victim. He further submits that the earlier bail application filed by the petitioners before this Court in Crl.O.P.No.9081 of 2026 was dismissed on 10.04.2026. He further submits that there is no previous case pending against the petitioners. However, he opposes the grant of bail and accordingly, he prays to dismiss the petition.

6. Heard on both sides. This Court has perused all the materials available on record.

7. The petitioners were arrested on 18.02.2026. The petitioners have permanent residence and deep roots in the society. Therefore, there is less possibility of absconding. Considering the same and taking note of the facts and cumulative circumstances of the case, the offence alleged against the petitioners and the period of incarceration undergone by the petitioners, this Court is of the view that further custody of the petitioners is not necessary in this case. Hence, this Court is inclined to grant bail to the petitioners, subject to the following conditions:



(i) The petitioners shall execute a separate bond for Rs.25,000/- (Rupees Twenty Five Thousand only) each along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the Judicial Magistrate No.I, Villupuram District.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The Judicial Magistrate No.I, Villupuram District, shall obtain a copy of any one of their identity proofs to ensure their identity.

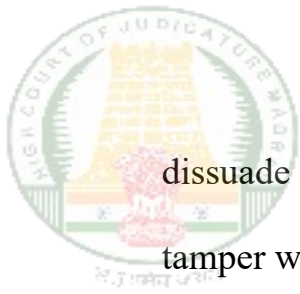
(iii) The petitioners shall stay at Kallakurichi and report before the learned Judicial Magistrate, Kallakurichi daily twice at 10.30 a.m., and 5.30 p.m., until further orders.

(iv) The petitioners shall furnish their residential address and mobile numbers to the learned Judicial Magistrate No.I, Villupuram District.

(v) The petitioners shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023.

(vi) The petitioners shall not commit an offence similar to the offence of which they are accused, or suspected, of the commission of which they are suspected.

(vii) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to



dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(viii) The petitioners shall also not directly or indirectly, cause any threat to the defacto complainant, victims, and witnesses.

(ix) The petitioners shall not enter into the defacto complainant's house or his work place.

(x) The petitioners shall not try to contact the defacto complainant, victims, and witnesses either directly or through any electronic mode.

(xi) On breach of any of the aforementioned conditions, the Judicial Magistrate No.I, Villupuram District or Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

20-05-2026

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Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order, when uploaded on the official website of this Court, will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate No.I, Villupuram.
- 2.The Judicial Magistrate, Kallakurichi.
- 3.The Superintendent of Prison,
District Jail, Vedamatti, Villupuram District.
- 4.The Inspector of Police
Vellimedupettai Police Station,
Villupuram District.
- 5.The Public Prosecutor, High Court of Madras.



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R.SAKTHIVEL, J.

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