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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12126 of 2026

1. Periyasamy
2. Santhosh

..Petitioner(s)

Vs

The State rep by,
Inspector of Police,
T4, Pudur Police Station,
Chennai.
Crime No.76 of 2026.

..Respondent(s)

PRAYER: - The Criminal Original Petition is filed under Section 483 of BNSS, praying to enlarge the petitioners on bail in Crime No.76 of 2026 on the file of the respondent police.

For Petitioner(s): M/s.V.Sivabalan

For Respondent(s): Mr.R.Vinoth Raja
Government Advocate (Crl.side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 27.02.2026, for the offences punishable under Sections 126(2), 296(b), 109 and 351(3) of BNS @ under Section 126(2), 296(b), 103(1) and 351(3) of BNS (under section 341, 296(b), 302 and 506(ii) of IPC) in Crime No. 76 of 2026, registered on the file of the respondent police, seek bail.



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2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused attacked the deceased using knife. Due to which, the deceased sustained severe injury and later, died. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners were arrested and are in judicial custody from 27.02.2026. Hence, he prayed to grant bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that due to previous enmity, the petitioner along with A2 attacked the deceased using knife and stones. He submitted that investigation in this case is pending. He also submitted that one previous case is pending against A1 and no previous case is pending against A2. Hence, he opposed to grant bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, the nature of the offences, considering the period of incarceration undergone by the petitioners and the material part of investigation is completed



in this case, also considering the fact that though one previous case is pending against A1, already bail was granted in that case and no previous case is pending against A2, this Court is inclined to grant bail to the petitioners, subject to certain conditions.

[a] Accordingly, the petitioners are ordered to be released on bail on them executing a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate, Ambattur** and on further conditions that:-

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioners shall not commit any offence similar to the offence of which they are accused, or suspected, or of the commission of which they are suspected;

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

[e] 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;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners 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].

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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

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Neutral Citation: Yes/No
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To

1. Judicial Magistrate, Ambattur.
2. The Inspector of Police,
T4, Pudur Police Station,
Chennai.
3. Central Prison No.II, Puzhal, Chennai.
4. The Public Prosecutor, Madras High Court, Chennai.

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.

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P.DHANABAL, J.

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