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CRL OP No. 12477 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12477 of 2026

1.Sadaiyandi
2.Poongavanam

..Petitioner(s)

Vs

State rep by the Inspector of Police,
Arakandanallur Police Station,
Villupuram District
Cr.No.74 of 2026

..Respondent(s)

Prayer: The Criminal Original Petition is filed under Section 483 of B.N.S.S., to enlarge the petitioners on bail in Cr.No.74 of 2026 on the file of the respondent police.

For Petitioner(s): Mr.M.Udayavani

For Respondent(s): Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 10.03.2026 for the offences punishable under Sections 194(1) of BNSS and subsequently, altered into Sections 103(1), 238, 49, 61(2) of BNS in Cr.No.74 of 2026 on the file of the respondent police, seek bail.



2. The case of the prosecution is that the A1 was previously in a love relationship with the deceased, and thereafter, she ended the relationship and developed an affair with A2. Since the deceased allegedly insisted her to marry him, A1 along with other accused, is said to have conspired and attacked the deceased with knives, resulting in his death. Hence, the case.

3. The learned counsel for the petitioners would contend that the petitioners are under judicial custody since 10.03.2026. He submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution as they are only the friends of A1. Therefore he prayed to grant bail to the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that A1 along with other accused brutally attacked the deceased with knife. He further submitted the overt act against the petitioners herein is that they have harboured A1. Hence, he vehemently opposed for grant of bail to the petitioners.

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



6. Considering the rivals submissions made on both sides, the nature of offence and the fact that the petitioners were not named as accused in F.I.R and that even according to the prosecution, the allegation as against the petitioners is that they were harbouring A1 and also taking into consideration the age of the petitioners, as well as the period of incarceration undergone by them, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute 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 learned **District Munsif cum Judicial Magistrate, Thiruvannainallur** 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;



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[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 her 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 petitioners 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

14-05-2026

Anu

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



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P.DHANABAL, J.

Anu

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